

Tractatus Navigationis
ET
COMMERCIORUM
INTER

*Serenissimam ac Potentissimam Principem ANNAM, Dei Gratiâ, Magnæ
Britanniæ, Franciæ, & Hiberniæ, Reginam, & Serenissimum ac Potentissimum
Principem LUDOVICUM XIV. Dei Gratiâ, Regem Christianissimum,
Conclusus Trajecti ad Rhenum die ^{31 Martii}_{11 Aprilis} Anno 1713.*

Treaty of Navigation
AND
COMMERCE
BETWEEN

The most Serene and most Potent Princess ANNE, by the Grace of
God, Queen of *Great Britain, France, and Ireland*, and the most Serene
and most Potent Prince LEWIS the XIVth, the most Christian King,
Concluded at *Utrecht* the ³¹₁₁ Day of ^{March}_{April} 1713.

By Her Majesties Special Command.



LONDON,

Printed by John Baskett, Printer to the Queens most Excellent Majesty,
And by the Assigns of Thomas Newcomb, and Henry Hills, deceas'd. 1713.

T R A C T A T U S
 E T
 C O M M E R C I O R U M
 I N T E R

inter Regnum Britanniae et Regnum Hispaniae
 Ludovicum XIV. Da Graui, Regem Christianissimum
 Consuevit Tractat, ad Rhenum die 1. Martii Anno 1713.

T R A C T A T U S
 A N D
 C O M M E R C E
 B E T W E E N

The most serene and most Excellent A. W. M. by the Grace of
 God, Queen of Great Britain, France, and Ireland, and the most serene
 and most Excellent Prince L. W. I. the XIVth, the most Christian King
 Concluded at Utrecht the 11. Day of March 1713.

By their respective Imperial Commissions.



L O N D O N
 Printed by J. Knapton, Printer to the Queen's most Excellent Majesty,
 and by the Agents of Thomas Newcomen, and Henry Hylton, Decemb. 1713.

tractatus Navigationis & Com-
merciorum inter Serenissimam
ac Potentissimam Principem
Annam, Dei Gratia, Magnæ Bri-
tanniæ, Franciæ, & Hiberniæ,
Reginam, & Serenissimum ac
Potentissimum Principem Ludo-
vicum XIV. Dei Gratia, Regem
Christianissimum, Conclusus
Trajecti ad Rhenum die ^{31 Martii}
11 Aprilis
Anno 1713.

Treaty of Navigation and Com-
merce between the most Serene
and most Potent Princess Anne,
by the Grace of God, Queen of
Great Britain, France, and Ire-
land, and the most Serene and
most Potent Prince Lewis the
XIV. the most Christian King,
Concluded at Utrecht the ¹¹ Day
of ^{March}
^{April} 1713.



Uemadmodum Sere-
nissima ac Potentissi-
ma Princeps & Do-
mina Anna, Dei
Gratia, Magnæ Bri-
tanniæ, Franciæ, &
Hiberniæ, Regina,
& Serenissimus ac
Potentissimus Prin-

ps & Dominus Ludovicus Decimus
quartus, Dei Gratia, Rex Christianissi-
mus, Ex quo ad Pacis Studia, Deo dis-
ponente, animos adverterint, ad Utilita-
tis Subditorum suorum inde proventuras
et mutuam Navigationis & Commercio-
rum Libertatem adaugendas, utpote quæ
incipiens pacis tam Fructus quam Fir-
mamentum esse debeant, prono utrinque
fiderio ferebantur: Eumque in Finem
legatis suis Extraordinariis & Plenipo-
tentiariis, Trajectum ad Rhenum conuen-
ientis, in Mandatis clementissimè dede-
runt, ut tam Paci redintegrandæ, quam
renovandis, adque bodiurnum rerum sta-
tum aptandis anterioribus inter ambas
Nationes, Commerciorum Fæderibus, ope-
m omni studio conferrent: Scilicet



Hereas the most Se-
rene and most Po-
tent Princess and
Lady Anne, by the
Grace of God,
Queen of Great
Britain, France, and
Ireland, and the most

Serene and most Potent Prince and Lord
Lewis the Fourteenth, by the Grace of
God, the most Christian King, since They
apply'd Their Minds, by the disposal of the
Almighty, to the study of Peace, have Both
been moved with an earnest desire to in-
crease the Advantages of Their Subjects,
which are to arise therefrom, by a Reci-
procal Liberty of Navigation and Com-
merce, which ought to be as well the
Principal Fruit, as Establishment of Peace:
And to that end They have most Graciously
given Instructions to Their Ambassadors Ex-
traordinary and Plenipotentiaries, going to
the Congress at Utrecht, that they should
employ their utmost Diligence and Care
both to Reestablish Peace, and to Renew
the former Treaties of Commerce between
the Two Nations, and to adapt them to

Sacra Regia Majestas Magnæ Britannia, Reverendo admodum Johanni, permissione Divina, Episcopo Bristolienſi, Privati Angliæ Sigilli Custodi, Regiæ Majestati à Conſiliis Intimis, Decano Windesoriensſi, & Nobilissimi Ordinis Periscelidis Registrario: Ut & Nobilissimo, Illustrissimo, atque Excellentissimo Domino Domino Thomæ Comiti de Strafford, Vice-Comiti Wentworth de Wentworth-Woodhouse, & de Staineborough, Baroni de Raby, Regiæ suæ Majestati à Conſiliis Intimis, Ejusdem Legato Extraordinario & Plenipotentiarario ad Celsos & Præpotentes Dominos Ordines Generales Uniti Belgii, Regiæ suæ Majestatis Dimachorum Legionis (vulgo Regiment) Tribuno, & Exercituum Regionum Locum-Tenenti Generali, Primario Admiraltatis Magnæ Britannia & Hibernia Domino Commissario, & Nobilissimi Ordinis Periscelidis Equiti: Sacra autem Regia Majestas Christianissima Nobilissimis, Illustrissimis, atque Excellentissimis Dominis, Domino Nicolao Marchioni de Uxelles, Marshallo Franciæ, Regionum Ordinum Equiti Torquato, & Locum-Tenenti Generali in Ducatu Burgundiæ; Et Domino Nicolao Mesnager, Regii Ordinis Sancti Michaelis Equiti. Dicti proinde Legati, quo propositum Regiarum Suarum Majestatum pium adeo & salutare optatum sortiretur Effectum; habitis variis eâ de re Colloquiis, concinnatisq; quantum præ temporis Angustiâ licuit, rerum utrinque momentis, inter ipsos tandem post Plenipotentias, quibus hæc in parte Muniti sunt, communicatas invicem, & ritè mutatas, quarum Apographa sub Finem hujus Instrumenti, Verbo tenus inserta sunt, super Navigationis & Commerciorum Articulis, modo formaque, prout sequitur, conveniunt.

the Present State of Affairs; That to say, Her Sacred Royal Majesty Great Britain, to the Right Reverend John, by Divine Permission, Bishop of Bristol, Keeper of the Privy-Seal of England, One of Her Majesties Privy Council, Dean of Windsor, and Register of the most Noble Order of the Garter: And also to the most Noble, Illustrious, and Excellent Lord Thomas Earl of Strafford, Viscount Wentworth of Wentworth-Woodhouse, and Stainborough, Baron of Raby, One of Her Majesties Privy Council, Her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of Her Majesties Regiment of Dragoons, Lieutenant General of Her Majesties Forces, First Lord Commissioner of the Admiralty of Great Britain and Ireland, and Knight of the most Noble Order of the Garter: And His Sacred Royal most Christian Majesty, to the most Noble, Illustrious and Excellent Lords, Nicolas Marquis of Huxelles, Marshal of France, Knight of the King's Orders, and Lieutenant General of the Dukedom of Burgundy; and Nicolas Mesnager, Knight of the King's Order of St. Michael. Whereupon the said Ambassadors, to the end that the Design of Their Royal Majesties which is so Pious and Wholsom might attain the desired Effect, having had several Conferences upon that Affair, and having adjusted the Principal Matters on both sides, as far as they could in so short a time, after having Communicated to each other, and duly Exchanged the full Powers, wherewith they were provided for this purpose, Copies whereof are inserted word for word at the end of this Instrument, have Agreed upon Articles of Navigation and Commerce, in manner and form as follows.

I. Conventum

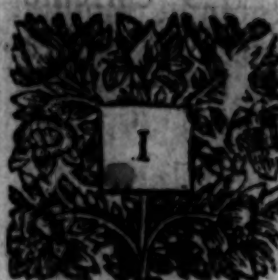
I.

 Onventum & concordatum est inter Serenissimam & Potentissimam Magnæ Britanniae Reginam, & Serenissimum ac Potentissimum Regem Christianissimum, Quod reciproca & omnibus modis absolutâ sit Libertas Navigationis & Commerciorum inter utriusque partis Subditos. per omnia & quævis Regiarum suarum Majestatum Regni, Status, Ditiones, & Provincias in Europâ, circa omnia & singula Mercium genera, iis in Locis, iisque Conditionibus, modo formæque, prout in sequentibus Articulis definitur & statuitur.

II.

Ut vero inter autememoratarum partium Subditos, commercium & Amicitia securâ dehinc, & ab omni Perturbatione & Molestiâ tuta sit, conventum & conclusum est, ut si quando inter Regiarum suarum Majestatum Coronas mala aliqua Intelligentia, & Amicitiae Interpretio Rupturæ suboriantur, (quod Deus avertat,) tum Terminis sex Mensium post dictam Rupturam, utriusque partis Subditis in alterius Ditione commorantibus, dabitur, quo recipere sese cum Familiis, Bonis, Mercimoniis, Facultatibus suis, easque asportare poterit quoquo versum ipsis placuerit; nec & iis permitti tunc erit Venditio, Alienatio Bonorum suorum, Mobilium & Immobiliumque rerum, liberè & sine ulla Interturbatione; Nec eorum bona, Res, Merces, & Facultates, neque ipsimet Arresto, vel manus Iniectione, interea temporis detinendi vel inveniendi sunt; Bonâ quinetiam interea

I.

 It is Agreed and Concluded between the most Serene and most Potent Queen of Great Britain, and the most Serene and most Potent, the most Christian King, That there shall be a reciprocal, and intirely perfect Liberty of Navigation and Commerce between the Subjects on each part, through all and every the Kingdoms, States, Dominions, and Provinces of Their Royal Majesties in Europe, concerning all and singular kinds of Goods, in those Places, and on those Conditions, and in such manner and form, as is settled and adjusted in the following Articles.

II.

But that the Commerce and Friendship between the Subjects of the above-said Parties may be hereafter secure, and free from all Trouble and Molestation, it is Agreed and Concluded, That if at any time any ill Understanding, and Breach of Friendship, or Rupture, should happen between the Crowns of Their Royal Majesties (which God forbid) in such case the Term of Six Months shall be allowed, after the said Rupture, to the Subjects and Inhabitants, on each part, residing in the Dominions of the other, in which they themselves may retire, together with their Families, Goods, Merchandizes, and Effects, and carry them whithersoever they shall please; As likewise at the same time the selling and disposing of their Goods, both moveable, and immoveable, shall be allowed them freely and without any disturbance; and in the mean time their Goods, Effects, Wares, and Merchandizes

promptaque Justitiâ fruuntur, utentur, alterutrinque Subditi, quo currente dicto Spatio Semestri, Res & Facultates suas, tam publico quam privatis concreditas, recuperare possint.

III.

Conventum quoque & statutum est, quod Subditi & Incolæ Regnorum, Provinciarum, & Ditionum utriusque Regiæ Majestatis, nullos in posterum exercent inter se Hostilitatis Actus & Violentias, nec Mari, nec Terrâ, nec in Fluviiis, Fluminibus, Portibus, aut Stationibus, sub quocunque nomine aut prætextu, ita ut Subditi utriusque partis nullum Diploma, Commissionem, vel Instructionem pro privatis Armaturis Navalibus exercendis, neque Literas Repressaliarum, ut vocant, aliquorum Principum aut Statuum, qui ipsis hinc inde hostes sunt, recipiant; Neque vi aut prætextu eorundem Diplomatum, Commissionum, vel Repressaliarum, prædictos Magnæ Britanniæ Regiæ, aut Regis Christianissimi Subditos & Incolas, turbent, infestent, vel Incommodo Damnove aliquo afficiant, neque ejusmodi vel Armaturam exercent, vel eâ in altum procedant; In quem finem toties quoties requiritur ab utraque parte, in omnibus utriusque partis Regionibus, Dominiis, & Ditionibus quibuscunque, Prohibitiones strictæ & expressæ renoventur & publicentur, Ne quis hujusmodi Commissionibus, vel Literis Repressaliarum ullo modo utatur sub pœnâ atrocissimâ, quæ contra Violatores infligi possit, præter Restitutionem & plenariam Satisfactionem iis præstandam, quibus damnum aliquod

dizes, and particularly their Persons, shall not be detained or troubled by Arrest or Seizure: But rather in the mean while the Subjects on each side shall have and enjoy good and speedy Justice, so that, during the said space of Six Months, they may be able to recover their Goods and Effects entrusted as well to the publick, as to private Persons.

III.

It is likewise Agreed and Concluded, That the Subjects and Inhabitants of the Kingdoms, Provinces, and Dominions of each of Their Royal Majesties, shall exercise no Acts of Hostility and Violence against each other, neither by Sea, nor by Land, nor in Rivers, Streams, Ports or Havens, under any colour or pretence whatsoever, so that the Subjects of either Party shall receive no Patent, Commission, or Instruction, for Arming and Acting at Sea as Privateers, nor Letters of Reprisal, as they are called, from any Princes or States, which are enemies to one side or the other; nor by Vertue, or under colour of such Patents, Commissions or Reprisals, shall they disturb, or infest, or any way prejudice or damage the aforesaid Subjects and Inhabitants of the Queen of Great Britain, or of the most Christian King; neither shall they arm Ships in such manner as is abovesaid, or go out to Sea therewith. To which end, as often as it is required by either side, strict and express Prohibitions shall be renewed and published in all the Regions, Dominions, and Territories of each Party wheresoever, That no one shall in any wise use such Commissions or Letters of Reprisal, under the severest Punishment that can be inflicted on the Transgressors, besides Restitution and full Satisfaction to be given to those, to whom inculerint,

tulerint, nec ullæ in posterum Repressaliarum Literæ ab alterâ dictorum Confederatorum parte concedentur in aliquo Subditorum Detrimento aut incommodum, nisi eo tantum Casu, quo Justitia denegata est, aut dilata; cui Denegationi aut Dilationi fides non habebitur, nisi Libellus Supplex ejus cui prædictas Repressaliæ Literas postulerit, communicatus sit Ministro, qui parte Principis illius, contra cujus Subditos illæ dandæ sunt, eo loci resident, ut intra quatuor Mensium tempus, aut prius, si fieri possit, contrarium docere, aut Complementum quod Justitiæ debeatur procurare possit.

IV.

Libenum sit utriusque prædictorum Confederatorum Subditis & Incolis, Terrestri, vel Maritimo, & quocunque Tenue Itinere, in alterius Fœderati Regna, Regiones, Provincias, Terras, Insulas, Urbes, Villas, Oppida murata, vel non murata, munita, vel immunita, Portus, Dominia, vel Ditiones quascunque in Europa, liberè & securè, absque Licentiâ vel salvo Conductu generali aut speciali, ingredi, ire, atque inde redire, ibidem commorari aut easdem transire, et omnia interim victui, usuique suo necessaria emere, atque pretio pro lubitu comparare, omnique benevolentia & favore reciproco tractentur. Cautum tamen esto ut in hisce omnibus ad præscripta Legum & Statutorum se gerant & componant, amicè quoque & pacatè inter se vivant & conversentur, omnique bona Intelligentiâ Concordiam mutuam habeant.

they have done any damage; neither shall any Letters of Reprisal be hereafter granted on either side by the said Confederates, to the Detriment or Disadvantage of the Subjects of the other, except in such case only as Justice is denied or delayed; to which Denial or Delay, Credit shall not be given, unless the Petition of the Person who desires the said Letters of Reprisal, be communicated to the Minister residing there on the part of the Prince, against whose Subjects they are to be granted, that within the space of Four Months, or sooner, if it be possible, he may evince the contrary, or procure the Performance of what is due to Justice.

IV.

The Subjects and Inhabitants of each of the aforesaid Confederates shall have Liberty, freely and securely, without Licence or Passport, general or special, by Land or by Sea, or any other way to go into the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns, walled or unwalled, fortified, or unfortified, Ports, Dominions, or Territories whatsoever of the other Confederate in *Europe*, there to enter, and to return from thence, to abide there, or to pass through the same, and in the meantime to Buy and Purchase as they please, all things necessary for their Subsistence and Use, and they shall be Treated with all mutual kindness and favour. Provided however that in all these Matters they behave and comport themselves conformably to the Laws and Statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal Concord by all manner of good Understanding.

V.

Subditis utriusque Regiæ Majestatis Libertas sit & Potestas, cum suis Navibus, ut & Mercibus, rebusque iisdem impositis, quorum commercium aut Asportatio Legibus utriusque Regni prohibita non sunt, ad utriusque partis Terras, Regiones, Urbes, Portus, Loca, & Fluvios in Europâ appellere, eoque adire, ibique frequentare, commorari, ac residere, absque ulla temporis restrictione, Domicilia etiam conducere, vel apud alios hospitari, omniaque mercium genera licita, ubi visum fuerit, emere à primo opifice vel venditore, aliove quovis modo, sive in publico rerum venalium Foro, in Emporiis, Nundinis, aut ubicunque loci Merces istæ laborantur aut venduntur; Merces quoque aliunde advectas in Repositoriis & Apothecis suis condere, asservare, indeque venum exponere licebit, neque ullo modo dictas suas Merces in Emporia & Nundinas, nisi sponte & libenter, asportare tenebuntur, eâ tamen lege ne easdem in Tabernis, aut alibi minutatim vendant. Ob dictam autem Commerciorum libertatem, aliâve quâcunque de causâ Impositionibus ullis aut Oneribus gravandi non erunt, præter ea quæ pro Navibus & Mercibus suis Legibus & Consuetudinibus in utroque Regno receptis solvenda veniunt. Quinetiam libera iis sit, quâdocunque & quocunque ipsis visum fuerit, sese, ut & si Matrimonium forte contraxerint, Uxores, Liberos, Famulosque suos, una cum Mercibus & Facultatibus, Rebus, Bonisque suis, sive empris, sive advectis, extra Regni utriusque Limites, Solutis Vestigalibus consuetis, Terra Marique, per Fluvios & Aquas dulces, sine Molestiâ, transferendi potestas; non obstante Lege quâlibet, Privilegio, Concessione, Immunitate, aut Consuetudine, contrari-

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V.

The Subjects of each of Their Royal Majesties may have Leave and License to come with their Ships, as also with the Merchandizes and Goods on Board the same (the Trade and Importation whereof are not prohibited by the Laws of either Kingdom) to the Lands, Counties, Cities, Ports, Places, and Rivers either side in Europe, to enter into the same, to resort thereto, to remain and reside there, without any Limitation of time, also to hire Houses, or to lodge with other People, and to buy all lawful kinds of Merchandizes, where they think fit, from the first Workman or Seller, or in any other manner, whether in the publick Market for the Sale of things in Mart-Towns, Fairs, or wheresoever those Goods are Manufactured or Sold, they may likewise lay up and keep in their Magazines and Ware-houses, and from thence expose to Sale Merchandizes brought from other Parts, neither shall they be in any wise obliged, unless willingly and of their own accord, to bring their said Merchandizes to the Markets and Fairs, on this Condition however, That they shall not sell the same by Retail in Shops, or any where else. But they are not to be loaded with any Impositions or Taxes on account of the said Freedom of Trade, or for any other Cause whatsoever, except what are to be paid for their Ships and Goods according to the Laws and Customs received in each Kingdom. And moreover they shall have free Leave, without any Molestation, to remove themselves, also if they shall happen to be Married, their Wives, Children, and Servants, together with their Merchandizes, Wares, Goods and Effects, either bought or imported, whensoever and whithersoever they shall

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ullo modo designante. In re autem Religionis integra Subditis utriusque Federatorum, ut & si Matrimonium contraxerint, eorum Uxoribus ac Libercoustabit Libertas, neque in Ecclesiis, alibi, sacris interesse cogendi erunt: his autem è contrario Rem Divinam more, etiam si Legibus Regni verito, variis, & inter proprios parietes, & que aliorum quorumcunque Interventum facere, omnino & absque ullâ molestiâ erit. Facultas porro Subditos utriusque partis in alterius Ditionibus defunctos, suis commodis & honestis, ad id quaque occasione designandis, Sepeliendi neganda non erit, neque Sepulcrorum vera ullâ molestiâ afficienda erunt. Reges autem & Statuta utriusque Regni pleno vigore manebunt, debitaque executioni mandabuntur, siue Commertium & Navigationem, siue Jus aliquod respiciunt, iis dumtaxat Casibus exceptis, de quibus in præsentis Tractatus Articulis aliter statutum fuerit.

VI.

Solvent utriusque partis Subditi Teinia, Vestigalia, & Introitus Exitusque omnia, per omnes utriusque partis Ditiones Provincias, debita & consueta. Et ut unicuique de prædictis Teloniis, Vestigationibus, & Introitus Exitusque Juribus quicunque constare certo possit, Conveniens pariter est, quod Indices Vestigalia,

think fit, out of the Bounds of each Kingdom, by Land and by Sea, on the Rivers and Fresh Waters, Discharging the usual Duties, notwithstanding any Law, Privilege, Grant, Immunity or Custom, in any wise importing the contrary. But in the Business of Religion, there shall be an entire Liberty allowed to the Subjects of each of the Confederates, as also, if they are Married, to their Wives and Children, neither shall they be Compelled to go to the Churches, or to be present at the Religious Worship in any other place. On the contrary, they may without any kind of Molestation perform their Religious Exercises after their own way, altho' it be forbid by the Laws of the Kingdom, privately and within their own Walls, and without the Admittance of any other Persons whatsoever. Moreover Liberty shall not be refused to Bury the Subjects of either Party, who Dye in the Territories of the other, in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead Bodies of those that are Buried be any ways molested. The Laws and Statutes of each Kingdom shall remain in full force, and shall be duly put in Execution, whether they relate to Commerce and Navigation, or to any other Right, those Cases only being excepted, concerning which it is otherwise determined in the Articles of this present Treaty.

VI.

The Subjects of each Party shall pay the Tolls, Customs, and Duties of Import and Export through all the Dominions and Provinces of either Party, as are due and accustomed. And that it may be certainly known to every one what are all the said Tolls, Customs, and Duties of Import and Export, It is likewise

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Portoria,

Portoria, & Impositiones designantes, publicis exstabant locis, tam Londini, & in aliis Urbibus intra Ditiones Reginae Magnae Britanniae, quam Rothomagi, & in aliis Galliae Urbibus Mercaturae assuetis, ad quas recurri possit quovisunque Lis aut Quaestio de talibus Portoriis, Vectigalibus, seu Impositionibus oriatur; quae eo modo, & non aliter exigenda erunt, prout disertis verbis & genuino supra-dictarum Tabularum tenori consentaneum erit. Et si quis Officialis, aut alius nomine ejus, sub quovis praetextu, publicè vel privatim, directè vel indirectè, à mercatore, vel alio, summam ullam pecuniae, seu aliud quodcunque postulabit aut accipiet, ratione Juris, Debiti, Stipendii, Exhibitionis, seu Compensationis, etiam sub nomine spontanei Doni, aut alio quovis modo, vel praetextu, plus aut aliter quam supra praefinitum est, tum dictus Officialis, aut Vicarius ejus, si coram Judice Competente, in Regione ubi crimen admissum est, ejusdem reus & convictus teneatur, Parti laesae plenam satisfactionem dabit, & etiam juxta Legum praescripta poenam debitam afficietur.

VII.

Mercatores, Navarchae, Naucleri, Nautae, homines quicunque, Naves, & omnia in universum Mercimonia, & Bona Confederati alterius, ejusque Subditorum, & Incolarum, nullo publico privato nomine, vi alicujus Edicti generalis, aut specialis, in Terris, Portibus, Stationibus, Littoribus vel Ditionibus quibuscunque, alterius Foederati, in Usus publicum, Expeditiones bellicas, aliamve ob causam, multo minus ob Usus cujus-

agreed, That Tables shewing the Customs, Port-Duties, and Imposts, shall be kept in Publick Places, both at London, and in other Towns within the Dominions of the Queen of Great Britain, and at Roan, and other Towns of France, where Trading is used, whereunto recourse may be had, as often as any question or dispute arises concerning such Port-Duties, Customs, and Imposts, which are to be demanded in such manner, and no otherwise, as shall be agreeable to the plain Words and Genuine Sense of the abovesaid Tables. And if any Officer, or other Person in his name, shall, under any pretence, publicly or privately, directly or indirectly, ask or take of a Merchant, or of any other Person, any Sum of Money, or any thing else, on account of Right, Dues, Stipend, Exhibition, or Compensation, altho' it be under the name of a free gift, or in any other manner, or under any other pretence, more, or otherwise, than what is prescribed above, in such case the said Officer, or his Deputy, if he be found guilty, and convicted of the same before a competent Judge, in the Country where the Crime was committed, shall give full Satisfaction to the Party that is wronged, and shall likewise be punished according to the Direction of the Laws.

VII.

Merchants, Masters of Ships, Owners, Mariners, Men of all kinds, Ships, and all Merchandizes in general, and Effects of one of the Confederates, and of his Subjects and Inhabitants, shall on no publick or private Account, by virtue of any general or special Edict, be Seized in any the Lands, Ports, Havens, Shores, or Dominions whatsoever of the other Confederate for the Publick Use, for Warlike Expeditions, or for any other

quam privatum, apprehendantur, per
 arresta detineantur, violentiâ aliquâ, vel
 illâ ejusdem specie cogantur, ullâve
 efficiantur molestiâ vel injuriâ. Porro
 cuiusque partis Subditis quidquam aut
 capere, aut vi extorquere nefas esto, nisi
 consentiat ille cui competit, ac paratâ pe-
 nniâ persolvatur, quod tamen non intelli-
 gendum est de eâ detentione & manûs
 injectione, quæ mandato & autoritate
 iustitiæ, viisq; ordinariis facta erit, debi-
 vel delicti causâ, quorum respectu viâ
 iuris, secundum formam Iustitiæ, agen-
 dum sit.

VIII.

Præterea conventum & statutum est
 pro Regulâ Generali, quod omnes &
 singuli Serenissimæ Magnæ Britannię
 Reginæ, & Serenissimi Regis Christian-
 issimi Subditi, in omnibus Terris, Locis-
 que, hinc inde ipsorum Imperio subjectis,
 circa omnia Jura, Impositiones, aut Vesti-
 galia quæcunque, Personas, Mercēs, &
 Mercimonia, Naves, Naula, Nautas,
 Navigationem & Commercia concernen-
 tia, iisdem ad minimum Privilegiis, Li-
 bertatibus & Immunitatibus utantur,
 gaudent, pariq; favore in omnibus gau-
 deant, tam in Curiiis Iustitiæ, quam in iis
 omnibus quæ sive Commercia, sive aliud
 quodcunque respiciunt, quibus ami-
 cissima quævis gens extera utitur, fruitur,
 gaudetque, aut in posterum uti, frui,
 aut gaudere possit.

IX.

Conventum ulterius est, quod intra
 spatium duorum Mensium, ex quo in
 Magnâ Britanniâ Lex lata fuerit, per
 quam satis cautum erit, ut nulla Porto-
 ra, sive Vestigalia de Bonis, Mercimoni-
 is e Gallia in Magnam Britanniam

Cause, much less for the private use of
 any one, shall they be detained by Arrests,
 compelled by Violence, or under any
 colour thereof, or in any wise Molested
 or Injured. Moreover it shall be unlaw-
 ful for the Subjects of both Parties, to
 take any thing, or to extort it by force,
 except the Person to whom it belongs
 consent, and it be paid for with ready
 Money. Which however is not to be un-
 derstood of that Detention and Seizure,
 which shall be made by the Command
 and Authority of Justice, and by the or-
 dinary Methods, on account of Debt, or
 Crimes, in respect whereof the Proceed-
 ing must be by way of Law, according
 to the form of Justice.

VIII.

Furthermore it is agreed and concluded
 as a general Rule, That all and singular the
 Subjects of the most Serene Queen of *Great
 Britain*, and of the most Serene the most
 Christian King, in all Countries and Pla-
 ces subject to their Power on each side,
 as to all Duties, Impositions, or Customs
 whatsoever, concerning Persons, Goods
 and Merchandizes, Ships, Freights, Sea-
 men, Navigation and Commerce, shall
 use and enjoy the same Privileges, Liber-
 ties, and Immunities at least, and have
 the like favour in all things, as well in
 the Courts of Justice, as in all such
 things as relate either to Commerce, or
 to any other Rights whatever, which any
 Foreign Nation, the most favoured, has,
 uses, and enjoys, or may hereafter have,
 use, and enjoy.

IX.

It is further agreed, That within the
 space of two Months after a Law shall
 be made in *Great Britain*, whereby it
 shall be sufficiently provided that no
 more Customs or Duties be paid for
 Goods and Merchandizes brought from

deportatis, amplius exigantur, quam quæ de Bonis, Mercimoniisq; ejusdem Naturæ, ex aliâ quâvis Regione in Europâ fitâ, in Magnam Britanniam deportatis, exiguntur, utq; Leges omnes post Annum 1664. in Magnâ Britannia latae ad prohibendam ullorum è Gallia venientium Bonorum, Mercimoniorumq; Importationem, quæ ante id tempus prohibita non fuerant, abrogentur, Tariffa Generalis decimo octavo Die Septembris Anni 1664. in Gallia facta, ibidem denuò obtinebit, & Vectigalia pro Bonis advehendis eveniendisq; in Gallia per Subditos Magnæ Britannia solvenda, ad tenorem Tariffæ supradictæ pendentur, modumque in eadem constitutum, haudquaquam excedent in Provinciis, quarum ibi mentio facta est, in reliquis autem Provinciis Vectigalia non nisi ad normam tunc temporis præscriptam exigenda erunt, omnesq; Prohibitiones, Tariffæ, Edicta, Declarationes, five Decreta, post Tariffam illam Anni 1664. & contra illam, quoad Bona, Mercesq; Magnæ Britannia, in Gallia factæ abrogabuntur. Quandoquidem vero ex parte Gallia contenditur ut quædam Mercimonia, viz. Lanificia, Saccharum, Pisces Saliti, & quæ ex Cetis proveniunt, ex Tariffæ supramemoratæ regulâ excipiantur, aliaq; porro Capita rerum restent, ad hunc Tractatum spectantia, quæ ex parte Magnæ Britannia proposita, hætenus autem mutuo accommodata non fuerint, quorum omnium in Instrumento separato, à Legatis utrinq; Extraordinariis & Plenipotentariis subscripto, Specificatio continetur, Provisum hisce, concordatumq; est, quod intra bimestre spatium, ab extraditis hujus Tractatus Ratihabitionum Tabulis Londini convenient utriusq; partis Commissarij, ad perpendendas, expediendasq;

France to Great Britain, than what is payable for Goods and Merchandizes of the like nature, Imported into Great Britain, from any other Country in Europe; and that all Laws made in Great Britain since the Year 1664. for Prohibiting the Importation of any Goods and Merchandizes coming from France, which were not Prohibited before that time, be repealed, the general Tariff made in France the 18th Day of September in the Year 1664. shall take place there again, and the Duties payable in France by the Subjects of Great Britain for Goods Imported and Exported, shall be paid according to the Tenour of the Tariff abovementioned, and shall not exceed the Rule therein settled, in the Provinces whereof mention is there made and in the other Provinces the Duty shall not be payable, otherwise than according to the Rule at that time prescribed; And all Prohibitions, Tariffs, Edicts, Declarations or Decrees, made in France since the said Tariff of the Year 1664. and contrary thereunto, in respect to the Goods and Merchandizes of Great Britain, shall be Repealed. But whereas it is urged on the Part of France, that certain Merchandizes, that is to say, Manufactures of Wooll, Sugar, Salted Fish, and the Product of Whales, be excepted out of the Rule of the abovementioned Tariff, and likewise other Heads of Matters belonging to this Treaty remain, which having been proposed on the part of Great Britain, have not yet been mutually adjusted, a Specification of all which is contained in a separate Instrument Subscribed by the Ambassadors Extraordinary and Plenipotentiaries on both sides, It is hereby Provided and agreed, that within two Months from the Ex-
difficul

Facultates de Mercemoniis è Tariffa
Anni 1664. excipiendis, deque cæteris
capitibus nondum satis, ut supra dictum
est, accommodatis. Idemq; Commissarii
riter operam dabunt, quod utriusque
Nationis Commodis maximè consentane-
um fore videtur, ut Commerciorum hinc
et Rationes penitus excutiantur, &
impedimentis hæc in parte tollendis,
æqualibusque mutuo componendis,
æquæ aqua, & utrinque utilia invenian-
tur, stabilianturque. Provisum tamen
precautumque semper est, ut Articuli
omnes & singuli hujus Tractatus in pleno
et vim vigore maneat; Atque im-
primis ut nihil quidquam Impedimento esse
videatur, sub quocunque prætextu, quo
visus Tariffæ generalis Anni 1664. Be-
neficium Subditis Regiæ suæ Majestatis
Magnæ Britannię concedatur, atque eam
sine ullâ morâ, aut tergiversatione
quantur, gaudeantque dicti Subditi Bri-
tannici intra bimestre spatium à Lege in
Magnâ Britanniâ, ut supra memoratum
est, latâ, modo formæque tam amplâ,
ut Subditi Gentis cujuscumque amicissimæ,
exfata Tariffæ beneficio frui, ac gau-
dere possent, omnino in contrarium haud
obstante re quâlibet à Commissariis præ-
dictis faciendâ, discutiendâve.

X.

Vestigalia pro Herbâ Nicotianâ, sive
tobaci, sive elaboratâ, in Galliam adve-
hendâ, ad eandem dehinc Moderationis
rationem revoquantur, quâ Herba eadem

change of the Ratifications of this Treaty,
Commissaries on both sides shall meet at
London, to consider of, and remove the
difficulties concerning the Merchandizes
to be excepted out of the Tariff of the
Year 1664, and concerning the other
heads, which, as is abovesaid, are not
yet wholly adjusted. And at the same
time the said Commissaries shall like-
wise endeavour, (which seems to be
very much for the Interest of both Na-
tions) to have the methods of Com-
merce on one part, and of the other,
more thoroughly examined, and to find
out and establish just and beneficial
means on both sides for removing the
difficulties in this matter, and for regu-
lating the Duties mutually. But it is
always understood and provided, that
all and singular the Articles of this
Treaty, do in the mean while remain
in their full force, and especially that
nothing be deemed, under any pretence
whatsoever, to hinder the benefit of the
General Tariff of the Year 1664. from
being granted to the Subjects of Her
Royal Majesty of *Great Britain*, and
the said *British* Subjects from having
and enjoying the same, without any
Delay or Tergiversation, within the
space of two Months after a Law is
made in *Great Britain*, as abovesaid,
in as ample manner and form as the
Subjects of any Nation, the most fa-
voured, might have and enjoy the be-
nefit of the aforesaid Tariff, any thing
to be done, or discussed by the said
Commissaries, to the contrary in any
wise notwithstanding.

X.

The Duties on Tobacco Imported in-
to *France*, either in the Leaf, or prepa-
red, shall be reduced hereafter to the
same moderate Rate, as the said To-
in

in quibuscvis Europæ, aut Americæ oris enata, in Galliam introducta, gaudet, & gavisura erit; Pro dictâ autem Herbâ eadem in Galliâ Vestigialia solvent utriusque partis Subditi, Par quoque in illâ vendendâ Libertas, eademque Leges erunt Subditis Britannicis, quibus gaudebunt, aut tenebuntur ipsimet Galliâ Mercatores.

XI.

Statutum quoque est, quod Impositio, seu Tributum quinquaginta Solidorum Turonensium per singulas Tunnas Navibus Britannicis in Galliâ impositum, cesset penitus & in posterum abrogetur; Cessabit pariter Tributum quinque Solidorum Sterlingorum, per singulas Tunnas Navibus Gallicis in Magnâ Britannia impositum; neque eadem, aliave istiusmodi Onera Subditorum alterutrinque Navibus in posterum imponentur.

XII.

Statutum præterea & conventum est, quod omnibus Mercatoribus, Navarchis, aliisque Subditis Regina Magnæ Britannia integrum sit in omnibus Galliæ locis negotia sua, per se tractare, vel quibuscunque ipsis placuerit tractanda demandare. Nec tenebuntur Interprete aliquo, vel Institore uti; nec nisi uti velint, iisdem Salarium aliquod persolvere. Præterea Magistri Navium non tenebuntur ad onerandas vel exonerandas Naves suas iis Operariis qui publicâ autoritate ad id constituti fuerint, vel Burdegala, vel aliis in locis uti; sed ipsis integrum erit Naves suas vel per se onerare, aut exonerare, vel iis quibus visum fuerit in iis onerandis vel exonerandis uti, sine Salarîi alicujus alii cuicunque solutione; neque Merces quascunque vel in alia Navigia exone-

bacco, of the growth of any Country in *Europe* or *America*, being brought to *France*, does or shall pay. The Subjects on both sides shall also pay the same Duties in *France* for the said Tobacco; There shall be likewise an equal liberty of Selling it; and the British Subjects shall have the same Laws as the Merchants of *France* themselves have and enjoy.

XI.

It is likewise concluded that the Imposition or Tax of 50 *Sols Tournois* laid on British Ships in *France* for every Tun shall wholly cease, and be from hence forward annulled. In like manner the Tax of Five Shillings Sterling, laid on French Ships in *Great Britain* for every Tun shall cease; neither shall the same, or any the like Impositions be laid hereafter on the Ships of the Subjects on either side.

XII.

It is further agreed and concluded, that it shall be wholly free for all Merchants, Commanders of Ships, and other the Subjects of the Queen of *Great Britain*, in all places of *France*, to manage their own business themselves, or to commit them to the management of whomsoever they please, nor shall they be obliged to make use of any Interpreter, or Broker, nor to pay them any Salary, unless they chuse to make use of them. Moreover Masters of Ships shall not be obliged in loading or unloading their Ships to make use of those Workmen either at *Bordeaux*, or in any other places as may be appointed by Publick Authority for that purpose; but it shall be intirely free for them to load or unload their Ships by themselves, or to make use of such Persons,

re, vel in sua recipere, vel onerandas, pra quam ipsis visum fuerit, expectare nebulantur. Singuli autem Subditi Christianissimi Regis in omnibus locis Magnae Britanniae Dominio in Europa subjectis, iisdem Privilegiis & Libertate cissim gaudebunt, & fruentur.

XIII.

Mercatoribus, aliisque Magnae Britanniae Reginae, & Regis Christianissimi uterutrinque Subditis, omnino fas & liberum erit, Testamento condito, & quavis alia dispositione, vel sub tempus vitudinis, vel quocunque spatio ante, ut juxta articulum mortis, facta, legare, ut dono dare Mercimonia sua, Facultates, Pecuniam, Debita ad ipsos redentia, & omnia Bona mobilia, quae tempore mortis intra Dominia, & quaelibet loca ad Reginam Magnae Britanniae, & Christianissimum Regem pertinentia, vel habuerint, vel habere debuerint. Quineam live Testati, five Intestati moriantur, Legitimi eorundem Haeredes & Executores, vel Administratores intra alterutra Regna commorantes, aut aliunde venientes, etiam si non sint in Civium numerum relati, liberè & quietè recipiant, & occupabunt omnia dicta Bona, & Facultates quascunque, secundum Magnae Britanniae & Galliae Leges respectivas, ita tamen ut Testamenta, & adeundi Haereditates Intestatorum, tam à Subditis Magnae Britanniae Reginae, quam à Subditis Regis Christianissimi, probari ex Lege oporteat, iis in locis ubi quisque decesserit, five id in Magna Britannia, five in Gallia contigerit, Lege

sons in loading or unloading the same as they shall think fit, without the payment of any Salary to any other whomsoever, neither shall they be forced to unload any sort of Merchandizes either into other Ships, or to receive them into their own, or to wait for their being loaded longer than they please. And all and every the Subjects of the most Christian King shall reciprocally have and enjoy the same Privileges and Liberty in all places in *Europe* subject to the Dominion of *Great Britain*.

XIII.

It shall be wholly lawful and free for Merchants and others, being Subjects either to the Queen of *Great Britain*, or to the most Christian King, by Will, and any other Disposition made, either during the time of Sickness, or at any other time before, or at the point of Death, to devise or give away their Merchandizes, Effects, Money, Debts belonging to them, and all moveable Goods, which they have or ought to have at the time of their Death, within the Dominions and any other places belonging to the Queen of *Great Britain*, and to the most Christian King. Moreover, whether they Dye, having made their Will, or Intestate, their lawful Heirs and Executors, or Administrators, residing in either of the Kingdoms, or coming from any other Part, although they be not Naturalized, shall freely and quietly receive and take possession of all the said Goods and Effects whatsoever, according to the Laws of *Great Britain* and *France* respectively; in such manner however, that the Wills, and Right of entring upon the Inheritances of Persons Intestate, must be proved according to Law, as well by the Subjects of the

qua-

quacunque, Statuto, Edicto, Consuetudine, five *Droit d' Anbeine* è contra non obstantibus.

XIV.

Orta Lite inter Navium utriusque partis Præfectum aliquem, ejusque Nautas in Portu quovis alterius partis, super Salario dictis Nautis debito, aliisve Causis civilibus, Magistratus loci, id tantum à Reo exiger, ut Declarationem scriptam Magistratus testimonio muniendam Actori tradat, quâ se coram Judice in Patriâ suâ competente super eâ Causâ responsurum caveat; quo facto neque Nautis Navem deferere, nec Præfectum in Itinere suo prosequendo impedire licebit. Licitum quinetiam Mercatoribus utrinque erit, in locis Domicilii sui, aut alibi, prout ipsis commodum fuerit, Libros Rationum, & Negotiorum suorum asservare, Literarum etiam commercium habere, eâ Linguâ aut Idiome, quo ipsis visum fuerit, absque ullâ molestiâ aut Indagatione quibuscunque. Quod si ad Litem aliquam & Controversiam dirimendam ipsis Rationum suarum Libros proferre opus fuerit, eo in casu integros Codices Tabulasve in Judicium afferre tenebuntur; ita tamen, ut Judici non liceat alios in dictis Codicibus Articulos inspicere, quam qui ad Testimonium vel authoritatem de quibus agitur, spectabunt, vel qui ad fidem dictis Libris faciendam necessarii erunt. Neque dictos Codices, Tabulasve à Domino rum manibus, sub quovis prætextu, eripere, vel retinere licitum erit: Solo argentariz Defectionis Casu, vulgo *Ban-*

Queen of *Great Britain*, as by the Subjects of the most Christian King, those places where each Person Dwells, whether that may happen in *Great Britain*, or in *France*, any Law, Statute, Edict, Custom, or *Droit d' Anbeine* whatsoever to the contrary notwithstanding.

XIV.

A Dispute arising between any Commander of the Ships on both sides, and his Seamen in any Port of the other Party, concerning Wages due to the said Seamen, or other Civil Cause, the Magistrate of the Place shall require no more from the Person accused than that he give to the Accuser a Declaration in Writing, Witnessed by the Magistrate, whereby he shall be bound to answer that matter before a Competent Judge in his own Country, when being done, it shall not be lawful either for the Seamen to desert their Ship, or to hinder the Commander from prosecuting his Voyage. It shall moreover be lawful for the Merchants on both sides in the places of their Abode, or elsewhere, to keep Books of their Accounts and Affairs, as they shall think fit, and to have an Intercourse of Letters, in such Language or Idiom, as they shall please, without any molestation or seizure whatsoever. But if it should happen to be necessary for them to produce the Books of Accounts for deciding the Dispute and Controversie, in such case they shall be obliged to bring into Court the intire Books or Writings, but so that the Judge may not have liberty to inspect any other Articles in the said Books, than such as shall relate to the Testimony, or Authority in question, or such as shall be necessary to give Credit to the said Books, neither shall it be

excepto ; Neque tenebuntur
 Magnæ Britannia Regina Subditi
 rationum Tabulas, Literarum Exem-
 plaria, Actus, Commentariosve, ad
 commercium pertinentes, papyro Sig-
 nis munito, Gallicè *Papier timbrè*, in-
 scribere, præter Librum Diarium, qui ut
 idem faciat in Lite, debet (gratis) se-
 cundum Leges quibus omnes in Galliâ
 commercantes sunt astricti, à Judice sub-
 scribi & Chirographo subjici.

XV.

Armatoribus extraneis, non Subditis
 aut alteri Fœderatorum, habentibus
 Commissiones ab aliquo alio Principe,
 aut Statu, utriusvis gentis inimico, non
 licebit in Portibus unius aut alterius
 Partium prædictarum, Naves suas in-
 struere, ea quæ ceperint, vendere, aut
 alio modo quocunque mutare tam Na-
 ves, Mercimonia, quam alia Onera quæ-
 cunque, & ne Victualia quidem coeme-
 re illis licitum erit, nisi quæ necessaria
 erunt ut perveniant ad Portum proxi-
 mum illius Principis à quo Commissio-
 nes obtinuerint.

XVI.

Naves utriusque Partis oneratae Oras
 vel Litora alterutrius præternavigantes,
 atque ad Stationes aut Portus Tempe-
 rate coactæ, vel alio modo appellentes,
 non cogantur ibidem Merces suas, aut
 aliquam earum partem exonerare, aut
 aliquod Væstigal persolvere, nisi Merci-
 monia sua sponte ibidem exonerent, aut
 aliquod de Onere distrahant : Licitum
 tamen sit particulam Oneris, impetratâ
 ad hoc veniâ eorum qui rebus maritimis

lawful, under any pretence, to take the
 said Books or Writings forcibly out of
 the Hands of the Owners, or to retain
 them ; the case of Bankruptcy only ex-
 cepted ; neither shall the said Subjects
 of the Queen of *Great Britain* be obliged
 to Write their Accounts, Copies of Let-
 ters, Acts or Instruments relating to
 Trade, on Stamped Paper, in *French*,
Papier timbrè, except their Day-Book,
 which, that it may be produced as Evi-
 dence in any Law-Suit, ought accord-
 ing to the Laws, which all Persons tra-
 ding in *France* are to observe, to be Sub-
 scribed *gratis* by the Judge, and marked
 or flourished with his own hand.

XV.

It shall not be lawful for any Foreign
 Privateers, not being Subjects of one or
 of the other of the Confederates, who
 have Commissions from any other
 Prince, or State, in Enmity with either
 Nation, to fit their Ships in the Ports
 of one or the other of the aforesaid Par-
 ties, to sell what they have taken, or in
 any other manner whatever to Exchange
 either Ships, Merchandizes, or any o-
 ther Ladings ; neither shall they be al-
 lowed even to Purchase Victuals, except
 such as shall be necessary for their go-
 ing to the next Port of that Prince from
 whom they have Commissions.

XVI.

The Ships of both Parties being La-
 den, Sailing along the Coasts, or Shores
 of the other, and being forced by Storm
 into the Havens or Ports, or coming to
 Land in any other manner, shall not be
 obliged there to Unlade their Goods, or
 any part thereof, or to pay any Duty,
 unless they do of their own accord un-
 lade their Goods there, or dispose of any
 part of their Lading : But it may be
 lawful to take out of the Ship, and to

præsumunt, eum tantum in finem è Navi solvere & divendere, ut Neceffaria, vel Refectioni Navis, vel Viſtuli emanantur, eoque in Caſu, non integrum Navis Onus veſtigale fiet, ſed ea tantum particula, quæ exonerata, vel divendita fuerit.

XVII.

Magnæ Britannię Reginæ, & Regis Chriſtianiffimi Subditis omnibus & ſingulis licitum erit, cum ſuis Navibus, omni cum Libertate & Securitate, nullâ diſtinctione habitâ quinam Mercium in iſdem oneratarum Proprietarii ſint, navigare à quocunque Portu, ad loca eorum quibus Inimicitia aliqua cum Magnæ Britannię Reginâ, aut Rege Chriſtianiffimo, jam aut dehinc, intercedet; Licitum iſdem erit Subditis & Incolis prædictis, cum præſatis Navibus & Mercibus navigare, & negotiari eâdem cum Libertate & Securitate à Locis, Portibus, & Stationibus eorum, qui utriusque vel alterius Partis hoſtes ſint, abſque contradictione & perturbatione qualicunque, non tantum directè ab illis præmemoratis Locis hoſtilibus ad locum neutralem, verum etiam ab uno loco hoſtili, ad locum hoſtilem alium, ſive illi ſub Jurisdictione ejusdem Principis ſint, ſive ſub diverſis. Et ſicut jam circa Navigia & Merces ſtipulatum eſt, ut Naves liberæ Libertatem quoque Mercibus vindicent, atque pro immuni ac libero habeatur omne id, quod Navibus ad Subditos alterius Fœderati ſpectantibus immiſſum deprehenderetur, etiamſi totum Oneris, vel ejusdem pars aliqua, ad hoſtes utriusvis Majeſtatis pertinuerit, Exceptis ſemper Mercibus Contra- bandis, quibus interceptis omnia ad Ar-

ſell, leave being firſt obtained from thoſe who have the Inſpection of Sea-Affairs, a ſmall part of their Lading, for this end only, that Neceſſaries, either for the Refreshment or Viſtualling of the Ship may be purchaſed; and in that caſe the whole Lading of the Ship ſhall not be ſubject to pay the Duties, but that ſmall part only, which has been taken out and ſold.

XVII.

It ſhall be lawful for all and ſingular the Subjects of the Queen of *Great Britain*, and of the moſt Chriſtian King, to Sail with their Ships, with all manner of Liberty and Security, no Diſtinction being made, who are the Proprietors of the Merchandizes Laden thereon, from any Port to the Places of thoſe who are now, or ſhall be hereafter at Enmity with the Queen of *Great Britain*, or the moſt Chriſtian King; It ſhall likewiſe be lawful for the Subjects and Inhabitants aforeſaid, to Sail with the Ships and Merchandizes aforementioned, and to Trade with the ſame Liberty and Security from the Places, Ports, and Havens of thoſe who are Enemies of both, or of either Party, without any Oppoſition or Diſturbance whatſoever, not only directlly from the Places of the Enemy aforementioned to Neutral places, but alſo from one place belonging to an Enemy, to an other place belonging to an Enemy, whether they be under the Jurisdiction of the ſame Prince, or under ſeveral. And as it is now Stipulated concerning Ships and Goods, that Free Ships ſhall alſo give a freedom to Goods, and that every thing ſhall be deemed to be Free and Exempt, which ſhall be found on Board the Ships belonging to the Subjects of either of the Confederates, altho' the whole Lading, ticularum

colorum subsequantium mentem fiant. Conventum pariter est, eandem Libertatem ad personas quoque extendi debere, quæ Navi liberâ vehuntur, eo effectum, ut quamvis utriusque Partis, aut alterutrius hostes fiant, ex Navi liberâ non extrahantur, nisi milites sint, & hostibus effectivè Ministeria sua præstent.

XVII.

Illâ Navigandi & Commercandi Libertas ad omnia Mercimoniorum genera extendet, exceptis solum iis quæ Articulo proximo sequuntur, & Contrabandæ nomine indignantur.

XIX.

Sub isto nomine Contrabandæ, seu Mercimoniorum prohibitorum, comprehendantur Arma, Sclopetæ, aut Tormenta majora, Bombardæ cum suis Ignariis, & aliis ad ea pertinentibus, Juncus Missiles, Pulvis Tormentarius, Bombæ, Globi, Cuspides, Enses, Lanceæ, Hastæ, Bipennes, Tubi Catapultæ (vulgo Mortarii) Inductiles Sclopeti (vulgo Petardæ) Glandes Ignariæ missiles (vulgo Grenadæ) Salpetra, Sclopetæ, Globuli, seu Pilæ quæ Sclopetis insculantur, Cassides, Galeæ, Thoraces, Cuirassæ, (vulgo Cuirasse) & similia Armarum Genera, ad instruendos milites comparata, Sclopothecæ, Balthei, Equorum eorum Apparatu, & quæcunque alia Instrumenta Bellica.

XX.

Inter Bona prohibita nequaquam continentur hæc quæ sequuntur Mercimoniorum, omnes scilicet Pannorum species, omnesque aliæ Manufacturæ textæ ex quâ-

or any part thereof, should appertain to the Enemies of either of Their Majesties, Contraband Goods being always excepted, on the Discovery whereof matters shall be managed according to the sense of the subsequent Articles. It is also agreed in like manner, That the same Liberty be extended to Persons who are on Board a Free Ship, with this effect, That although they be Enemies to both, or to either Party, they are not to be taken out of that Free Ship, unless they are Soldiers, and in actual Service of the Enemies.

XVIII.

This Liberty of Navigation and Commerce shall extend to all kinds of Merchandizes, excepting those only which follow in the next Article, and which are signified by the Name of Contraband.

XIX.

Under this name of Contraband, or Prohibited Goods shall be comprehended Arms, great Guns, Bombs, with their Fuses, and other things belonging to them, Fire-balls, Gunpowder, Match, Cannon-ball, Pikes, Swords, Lances, Spears, Halberds, Mortars, Petards, Granadoes, Saltpetre, Muskets, Musket-ball, Helmets, Head-pieces, Breast-plates, Coats of Mail, and the like kinds of Arms, proper for arming Soldiers, Musket-rests, Belts, Horses, with their Furniture, and all other Warlike Instruments whatever.

XX.

These Merchandizes which follow, shall not be reckoned among Prohibited Goods, that is to say, all sorts of Clothes, and all other Manufactures

cunque Lanâ, Lino, Serico, Gossipio, vel aliâ quâcunque materiâ, omnia Vestium & Indumentorum genera, unâ cum speciebus ex quibus confici solent; Aurum & Argentum, tam signatum quam non signatum, Stannum, Ferrum, Plumbum, Cuprum, Orichalcum, Carbones focarii; Triticum etiam & Hordeum, & aliud quodcunque Frumenti & Leguminis genus; Herba Nicotiana (vulgo Tobacco) nec non omne genus Aromatum, Carnes salitæ & Fumo duratæ, Pisces saliti, Caseus & Butyrum, Cerevisiæ, Olea, Vina, Sacchara, & omne genus Salis, nec non omnis generatim Annona, quæ ad victum hominum, & vitæ sustentationem facit; Gossipii porro, Canabis, Lini, Picis, tam liquidæ quam aridæ, omne genus, Funes, Rudentes, Vela, Linæamen velis nauticis aptum, Anchoræ, & Anchorarum partes quælibet, Mali item Navales, ut & Asseres, Tabulæ, & Trabes, ex quibuscunque arboribus, omniaque alia ad Naves seu construendas seu reficiendas comparata; sed nec aliæ quæcunque Merces, quæ Instrumenti vel Apparatus alicujus pro Terrestri, vel Maritimo Bello formam non acceperunt, pro Contrabandis habebuntur, multo minus quæ ad alium quemvis usum jam apparatæ & conformatæ sunt, quæ omnia planè inter mercimonia libera censebuntur, juxta ac aliæ quælibet merces & res, quæ in Articulo proximè præcedenti non comprehenduntur, ac speciètim designantur, ita ut à Subditis utriusque Confederati liberrimè transportari & invehì possint, etiam ad Loca inimica, exceptis dumtaxat Oppidis Locisve tunc temporis Obsidione cinctis, circumseptis, vel investitis.

woven of any Wooll, Flax, Sisk, Cotton, or any other Materials whatever, all kinds of Clothes and Wearing Apparel, together with the Species whereof they are used to be made; Gold and Silver, as well Coyned as Uncoyned, Tin, Iron, Lead, Copper, Brass, Coals; as also Wheat and Barley, and any other kind of Corn and Pulse; Tobacco, and likewise all manner of Spices, Salted and Smoked Flesh, Salted Fish, Cheese and Butter, Beer, Oyls, Wines, Sugars, and all sorts of Salt, and in general all Provisions which serve for the Nourishment of mankind, and the Sustenance of Life. Furthermore all kinds of Cotton, Hemp, Flax, Tarr, Pitch, Ropes, Cables, Sails, Sail-cloths, Anchors, and any parts of Anchors; also Ship-Masts, Planks, Boards and Beams of what Trees soever, and all other things proper either for Building or Repairing Ships; and all other Goods whatever, which have not been worked into the form of any Instrument, or thing prepared for War by Land or by Sea, shall not be reputed Contraband, much less such as have been already wrought and made up for any other use, all which shall wholly be reckoned among free Goods, as likewise all other Merchandizes and things which are not comprehended, and particularly mentioned in the preceding Article, so that they may be Transported, and Carried in the freest manner by the Subjects of both Confederates, even to places belonging to an Enemy, such Towns or Places being only excepted as are at that time Besieged, Blockaded, up round about, or Invested.

XXI.

Quo autem Discordiæ & Similitates animorum hinc inde evitentur, iisque viam eatur, conventum est, quod cum quo altera Fœderatarum Regiarum Majestatem Bello implicetur, Naves & Navigia ad Subditos alterius Fœderati instantia, instructa esse debeant Literis Maritimis, exprimentibus nomen, proprietatem, & magnitudinem Navis, ut Nomen & Locum habitationis Masteri, sive Præfecti ejusdem Navis, ut de constare possit Navem illam ad Subditos alterutrius Principis verè & rectè pertinere; quæ Litera Maritimæ, præ Formulam huic Tractatui appositam, concipientur & concedentur; quotiens etiam revocabuntur, scilicet si contingat Navem intra decursum anni annum reverti. Conventum etiam est, quod ejusmodi Naves onerata, non tantum munitæ esse debeant Literis Maritimis, supra indicatis, sed & Certificatorijs, continentibus Species Oneris, Locumque unde Navis discessit, & quod cedere instituit, ut sic dignosci queat si Merces ullæ vetitæ, seu Contrabandæ, articulo decimo nono hujus Tractatus enumeratæ, eadem vehantur; quæ Literæ Certificatoriae ab Officialibus illius Loci unde Navis solvit, Formâ ibidem solitâ expediantur; & si cui consultum visumque fuerit in ejusmodi Literis exprimere ad quem Merces pertineant, liberum hoc ei erit.

XXII.

Naves Subditorum & Incolarum Serenissimarum Regiarum hinc inde Majestatum, venientes ad aliquas Oras Maritimas intra alterutrius Confœderati Ditionem, non tamen Portum intrare vo-

XXI.

To the end that all manner of Diffusions and Quarrels may be avoided and prevented on one side, and 't'other, it is Agreed, That in case either of Their Royal Majesties, who are Allied, should be Engaged in War, the Ships and Vessels belonging to the Subjects of the other Ally, must be furnished with Sea-Letters or Passports, expressing the Name, Property, and Bulk of the Ship, as also the Name and Place of Habitation of the Master or Commander of the said Ship, that it may appear thereby, that the Ship really and truly belongs to the Subjects of one of the Princes; which Passports shall be made out and granted, according to the Form annexed to this Treaty; they shall likewise be recalled every Year, that is, if the Ship happens to return Home within the space of a Year. It is likewise agreed, That such Ships being laden, are to be provided, not only with Passports, as abovementioned, but also with Certificates containing the several particulars of the Cargo, the place whence the Ship Sailed, and whither she is Bound, that so it may be known whether any forbidden or Contraband Goods as are enumerated in the 19th Article of this Treaty, be on Board the same, which Certificates shall be made out by the Officers of the Place whence the Ship set Sail, in the accustomed Form. And if any one shall think it fit or adviseable to express in the said Certificates, the Person to whom they belong, he may freely do so.

XXII.

The Ships of the Subjects and Inhabitants of Both Their most Serene Royal Majesties coming to any of the Sea-Coasts within the Dominions of either of the Confederates, but not willing to

lentes,

lentes, aut ingressi, nolentes exponere aut distrahere Onera suarum Navium, non tenebuntur Onerum suorum rationem reddere, nisi certis indiciis suspectæ fuerint transferendarum ad hostes alterius Confederati Mercium prohibitarum de Contrabandâ Nuncupatarum.

XXIII.

Et casu dictæ suspicionis manifestæ, dicti Subditi & Incolæ Ditionum Serenissimarum Regiarum hinc inde Majestatum, obligati erunt exhibere in Portibus, Literas suas Maritimas & Certificatorias, modo ante declarato.

XXIV.

Quod si Naves Subditorum & Incolarum Serenissimarum Regiarum hinc inde Majestatum, ad Oras maritimas progressæ, aut in pleno mari obviam factæ fuerint Navibus Bellicis alterutrius, aut Navibus sumptibus privatis ad Bellum instructis, dictæ Naves Bellicæ, & Armatæ Privatorum, ad quævis evitanda incommoda, maneat extra Jactum Tormenti Bellici, mittantque Scapham ad Navem Mercatoriam quæ obviam facta erit, & cum duobus aut tribus solummodo hominibus intrent, quibus monstrantur à Magistro vel Præfecto talis Navis aut Navigii Literæ Maritimæ de proprietate ejusdem, conceptæ juxta Formam præsentis Tractatui appositam, & Navi quæ eas exhibuerit liber erit transitus, eandemque molestiâ aliquâ afficere, excutere, aut de Cursu destinato ut deflectat, cogere nefas esto.

XXV.

Illa vero Navis Mercatoria alterius partis, quæ ad Portum alteri Fœderatorum inimicum tendere instituerit, aut de cujus itinere, aut Mercium subvectarum specie, justa suspicio subsit, non

enter into Port, or being entred, yet being willing to shew or to sell the Cargoes of their Ships, shall not be obliged to give an Account of their Lading, unless they are suspected, upon sure Evidence, of carrying to the Enemies of the other Confederate Prohibited Goods called Contraband.

XXIII.

And in case of the said manifest Suspicion, the said Subjects and Inhabitants of the Dominions of both Their most Serene Royal Majesties shall be obliged to exhibit in the Ports their Passports and Certificates, in the manner before specified.

XXIV.

But in case the Ships of the Subjects and Inhabitants of both Their most Serene Royal Majesties, either on the Sea-Coast, or on the high Seas, shall meet with the Men of War of the other, or with Privateers, the said Men of War and Privateers, for preventing any Inconveniencies, are to remain out of Cannon-shot, and to send a Boat to the Merchant Ship, which has been met with, and shall enter her with Two or Three Men only, to whom the Master or Commander of such Ship or Vessel shall shew his Passport, concerning the property thereof, made out according to the Form annexed to this present Treaty, and the Ship which shall exhibit one, shall have free Passage, and it shall be wholly unlawful any way to molest her, search, or compel her to quit her intended Course.

XXV.

But that Merchant Ship of the other Party, which intends to go to a Port at Enmity with the other Confederate, or concerning whose Voyage, and the sort of Goods on Board, there may be just

tantum

tum Literas Maritimas, verum etiam
 rificatorias, five in pleno Mari, five
 Portibus & Stationibus, exhibere
 bitur, exprimentes quod de genere
 mercium prohibitarum in Articulo de-
 cimo nono specificatarum non sint.

XXVI.

Quod si per exhibitionem supradicta-
 rum Literarum Certificatarum, ex-
 aminum rerum subvectarum Indices,
 qua parsprehenderit aliqua istius
 generis mercimonia, quæ Contrabanda,
 prohibita esse, in hujus Tractatus
 articulo decimo nono, declarantur, ad
 alterius Hostibus obtemperan-
 tem destinata, Foros illius Navis in quâ
 reperi contigerit, five ad Subditos
 Regni Britannia, five Gallia, spectave-
 re, resignare, Capsas, Sarcinas, aut Vasa
 eadem referare, vel partem licet mi-
 nimam Mercimoniorum distrahere, nisi
 iuxta præsentibus Tribunalis Maritimi
 officialibus, in Terram exposito, & in
 Inventarium redactis, Nefas esto. Eorum
 conditioni tamen, permutationi, aut
 alienationi qualicunque, nullatenus locus
 erit, nisi postquam ritè & legitimè contra
 huiusmodi Bona prohibita processum fu-
 erit, eademque rerum Maritimarum Ju-
 dices, latâ sententiâ. Fisco respectivo suo
 adjudicaverint; salvis semper tam ipsa Navi,
 quam cæteris Mercibus, in eadem re-
 tentis, quæ ex hoc Tractatu libera cen-
 dendæ sunt, nec ex præfatis Mercium
 prohibitarum Contagio, detineri, nedum
 pro prædâ legitimâ confiscari possint. Sin-
 tem non totum, sed pars oneris dun-
 taxat ex Mercibus Prohibitis vel Con-
 trabandis constiterit, easque Præfectus
 Navis Captori qui easprehenderit,
 tradere se promptum & paratum præ-
 stet, eo in Casu Captor, iis Mercibus
 receptis, Navem illico dimitter, neque
 illâ ratione impediatur, quo minus Cur-

suspicion, shall be obliged to exhibit,
 either on the high Seas, or in the Ports
 and Havens, not only her Passports, but
 her Certificates, expressing, that they are
 not of the kind of Goods Prohibited,
 which are specified in the 19th Article.

XXVI.

But if one Party, on the exhibiting the
 abovesaid Certificates, mentioning the
 particulars of the things on Board, should
 discover any Goods of that kind which
 are declared Contraband or Prohibited
 by the 19th Article of this Treaty, de-
 signed for a Port subject to the Enemy
 of the other, it shall be unlawful to
 Break up the Hatches of that Ship,
 wherein the same shall happen to be
 found, whether she belong to the Subjects
 of *Great Britain*, or of *France*, to open
 the Chests, Packs, or Casks therein, or
 to remove even the smallest Parcel of the
 Goods, unless the Lading be brought on
 Shore, in the Presence of the Officers of
 the Court of Admiralty, and an Inven-
 tory thereof made; but there shall be no
 allowance to sell, exchange, or alienate
 the same in any manner, unless after that
 due and lawful Process shall have been
 had against such Prohibited Goods, and
 the Judges of the Admiralty respectively
 shall, by a Sentence pronounced, have
 Confiscated the same; saving always, as
 well the Ship it self, as the other Goods
 found therein, which by this Treaty are
 to be esteemed Free; neither may they
 be detained on pretence of their being, as
 it were infected by the Prohibited Goods,
 much less shall they be Confiscated as
 lawful Prize: But if not the whole Cargo,
 but only part thereof, shall consist of
 Prohibited or Contraband Goods, and the
 Commander of the Ship shall be ready
 and willing to deliver them to the Cap-
 tor, who has discovered them, in such
 sum

sum quem instituerat, libere prosequatur.

XXVII.

Conventum autem è contrario est, quod quicquid à Subditis & Incolis alterutrius Partis in Navem quamcunque, ad alterius hostem aliquem, ejusque Subditos, spectantem, immissum deprehenderetur, id totum quamvis de genere Mercium prohibitarum non sit, Fisco addici possit, perinde ac si ad ipsum hostem pertineret: Exceptis iis Mercibus & Mercimoniis, quæ, ante Belli Declarationem, istiusmodi Navi imposita fuerint, vel etiam post eam Declarationem, modo intra tempus & terminos sequentes actum sit. Nimirum si imposita isti Navi fuerint in aliquo portu & loco intra spatium Sex Septimanarum post ratam Declarationem, intra Terminos *The Naze* in Norvegia, & *Soundings* vocatos; Duorum Mensium, intra Terminos *The Soundings*, & Civitatem *Gibraltar*; Decem Septimanarum in Mari Mediterraneo; & Octo Mensium in quavis aliâ Orbis Regione aut Loco, adeo ut Subditorum alterutrius Principis Bona, sive de genere Mercium Prohibitarum sint, sive aliter, quæ, prout jam dictum est, ante Bellum, vel etiam post ejus Declarationem, intra Tempus & Terminos prædictos, Navi alicui hostili immissa fuerint, Confiscationi obnoxia nullo modo sint, sed sine Dilatione Proprietariis eadem repetentibus, bonâ fide restituantur, ita tamen ut si dicta Mercimonia Contrabanda sint, ea ad Portus inimicos postmodum devehere omnino non liceat.

case the Captor having received the Goods, shall forthwith Discharge the Ship, and not hinder her, by any means, freely to prosecute the Voyage on which she was bound.

XXVII.

On the contrary It is Agreed, That whatever shall be found to be Laden with the Subjects and Inhabitants of either Party on any Ship belonging to the Enemy of the other, and His Subjects, whole, although it be not of the sort of Prohibited Goods, may be Confiscated in the same manner as if it belonged to the Enemy himself; except those Goods and Merchandizes as were put on Board such Ship before the Declaration of War, or even after such Declaration, so be it were done within the time and limits following, that is to say, If they were put on Board such Ship in any Port and Place within the space of Six Weeks after such Declaration within the bounds called the *Naze* in Norway, & the *Soundings*; of two Months from the *Soundings* to the City of Gibraltar; ten Weeks in the Mediterranean Sea and of Eight Months in any other Country or Place in the World; that the Goods of the Subjects of either Prince, whether they be of the nature of such as are Prohibited, or otherwise, which, as is aforesaid, were put on Board any Ship belonging to the Enemy before the War, or after the Declaration of the same, within the time, and limits aforesaid, shall always be liable to Confiscation, but shall well and truly be restored without delay to the Proprietors demanding the same, but so as that if the said Merchandizes be Contraband, it shall not be any way lawful to carry them afterwards to the Ports belonging to the Enemy.

XXVIII. Q

XXVIII.

Quo autem Serenissimarum Regiarum hinc inde Majestatum Subditorum Serenitati abundanter cautum sit, quod nulla injuria per alterius Partis Naves bellicas, vel alias Sumptibus privatis ad Bellum instructas, iis inferetur, omnibus Magnae Britanniae Reginae, & Christianissimi Regis Navium Praefectis, omnibusque eorum Subditis, omni in alteram partem injuria & damno interdicitur, sin secus faciant, Poenas luent, praeterea obstricti erunt de Damnorum omni causa, & eo quod interest satisfacere, per Reparationem sub Obligatione & Nexu Personae Bonorumque.

XXIX.

Ob hanc causam, singuli Navium sumptibus privatis ad Bellum instructarum Praefecti, antequam Diplomata, & Commissiones suas speciales, recipient, sufficientem Fiduciariam Cautionem per viros idoneos, qui solventes sint, & nullum interesse habeant in dicta Nave, & singuli in solidum obligati coram Judice competente, inponere in posterum tenebuntur in Summa mille quingentarum Librarum Sterlingarum, aut sedecim milium & quingentarum Librarum Turonensium, vel si ejusmodi Navis ultra quinquaginta Nautis Militibus instructa sit, in Summa trium millium Librarum Sterlingarum, vel tria milia trium millium Librarum Turonensium, se damnis & injuriis quibuscunque, quas suo cursu Navali ipsi, vel sui officiales, aliive sibi inservientes, contra presentem hunc Tractatum, aut Serenissimarum Regiarum hinc inde Majestatum Edicta, ejusdem vigore emanata, committunt, in solidum satisfacturos, sub poena etiam Revocationis &

XXVIII.

And that more abundant care may be taken for the Security of the Subjects of Both Their most Serene Royal Majesties, that they suffer no injury by the Men of War or Privateers of the other Party, all the Commanders of the Ships of the Queen of Great Britain, and of the most Christian King, and all Their Subjects, shall be forbid doing any injury or damage to the other side; and if they act to the contrary, they shall be Punished, and shall moreover be bound to make Satisfaction for all cause of Damage, and the Interest thereof, by Reparation, under the Bond and Obligation of their Person and Goods.

XXIX.

For this Cause all Commanders of Privateers, before they receive their Patents, or Special Commissions, shall hereafter be obliged to give, before a Competent Judge, sufficient Security by good Bail, who are Men able to Pay, and have no Interest in the said Ship, and are each bound in the whole, for the Sum of 1500 l. Sterling, or 16500 Livres Tournois; or if such Ship be provided with above One hundred and fifty Seamen or Soldiers, for the Sum of 3000 l. Sterling, or 33000 Livres Tournois, that they will make intire Satisfaction for any Damages and Injuries whatsoever, which they, or their Officers, or others in their Service, commit, during their course at Sea, contrary to this present Treaty, or the Edicts of either of Their most Serene Royal Majesties, Published by vertue thereof; under Penalty likewise of having their special Commissions and Patents revoked and annulled.

D

Cassationis

**Cassationis Literarum Commissionarium
specialium, & Diplomatum.**

XXX.

Altememorata Regia hinc inde Ma-
jestates, alterutrinus Subditos, ac si pro-
prij sui Subditi essent, mutuo eodem-
que favore, in omnibus suis respective
Ditionibus, prosequi volentes, quæ ne-
cessaria fuerint, simul & efficacia, dabunt
Mandata, ut jus super Prædis admini-
stretur in Curia Admiralitatis secundum
Justitiæ & Æquitatis normam, & hujus
Tractatus Leges, à Judicibus omni suspi-
cione majoribus, & quorum, in Causa
quæ disceptatur, nullatenus intererit.

XXXI.

Quandocunque altememoratarum Re-
giarum hinc inde Majestatum Legati,
alique Ministri, publicâ authoritate
muniti, in Aula alterius Principis com-
morantes, querentur de iniquitate Sen-
tentiarum quæ lata fuerint, Regia
Majestates easdem in Concilio hinc inde
suo revideri, & ad examen revocari cu-
rabunt, ut constet utrum Ordinationes
& Cautela in hoc Tractatu præscriptæ,
servatæ, & debitum effectum sortitæ fu-
erint, Curabunt itidem ut huic rei om-
nino provideatur, Jusque suum cuique
queritanti, intra trimestre spatium, red-
datur. Nihilominus ante vel post Sen-
tentiâ latam, pendente ejusdem Revi-
sione, Bona controversa vendere, vel ex-
onerare, nisi ex Consensu eorum quorum
interest, quo damnum omne evitetur,
nullatenus licebit.

XXX.

Both their abovenamed Royal Ma-
jesties being willing to shew a Mutual
and Equal Favour in all their Domiti-
ons respectively, to the Subjects of each
other, in the same manner, as if they
were their own Subjects, will give such
Orders as shall be necessary and effectual
That Justice be Administred concerning
Prizes in the Court of Admiralty, ac-
cording to the Rule of Equity and Right
and the Articles of this Treaty, by Judges
who are above all Suspicion, and who
have no manner of Interest in the Cause
in Dispute.

XXXI.

Whensoever the Ambassadors of each
of Their Royal Majesties abovenamed
and other Their Ministers; having a pub-
lick Character, and residing in the Court
of the other Prince, shall complain of the
unjustness of the Sentences which have
been given, Their Majesties on each side
shall take Care, that the same be Revised
and Re-examined in their respective
Councils, that it may appear whether
the Directions and Provisions prescribed
in this Treaty have been observed, and
have had their due effect. They shall
likewise take care that this matter be
effectually provided for, and that Right
be done to every Complainant, within
the space of Three Months. However,
before or after Judgment given, the Re-
vision thereof still depending, for the
avoiding of all Damage, it shall not be
lawful to sell the Goods in Dispute, or
to unlade them, unless with the Consent
of the Persons concerned.

XXXII. Licet

XXXII.

Lite mota inter Prædatorum Captores
una, & earundem Reclamatores ex al-
tra parte, lataque Sententia vel Decreto
a parte reclamante, eadem Sententia
vel Decretum, interposita Cautione,
in executionem mandabitur, Captoris ad su-
periores Judicem Appellatione nullatenus
obstante, quod quidem non observabitur
si Sententia lata fuerit contra Recla-
matores.

XXXIII.

Casu quo Naves five Bellicæ, five O-
mnia, tempestate, aliove infortunio
factæ, in Rupes aut Scopulos incident,
aut Oras unius alteriusve partis, ibique
frumpantur, & Naufragium faciant,
quidquid Navium, Apparatusve earum
idem Bonorum & Mercimoniorum ser-
vum fuerit, aut Pretium quod ex his
proveniat, Proprietariis, Reclamatori-
bus, aut eorum Negotiorum Gestoribus,
fide restituatur, solutis duntaxat
expensis quæ servandis his factæ sunt,
aut ab utraque parte circa rei servatam
eandem statutum fuerit: Sævis etiam
iusque Nationis Juribus & Consue-
tudinibus. Et Serenissimæ Regiæ hinc
de Majestates Autoritatem suam in-
ponent, quo puniantur severe eorum
subditi, qui tali eventu Inhumanitatis
reperiuntur.

XXXIV.

Liberum erit utriusque partis Subditis
Advocatis, Procuratoribus, Notariis,
Solicitoribus, & Negotiorum Gestori-
bus, quibus ipsis visum fuerit, quo fine
idem Advocati, & alii supra nominati,
committantur ab ordinariis Judicibus, si
opus, & Judices ad illud requisiti fuerint.

XXXII.

A Suit being commenced between the
Captors of Prizes on one part, and the
Reclaimers of the same on the other,
and a Sentence or Decree being given in
favour of the Reclaimer, that same Sen-
tence or Decree, Security being given,
shall be put in Execution, the Appeal of
the Captor to a Superior Judge in any
wise notwithstanding; which however is
not to be observed when Judgment has
been given against the Reclaimers.

XXXIII.

In case that either Ships of War, or
Merchant-Men, forced by Storm, or
other Misfortune, be driven on Rocks
or Shelves on the Coasts of one or
the other Party, and are there Broken
to pieces and Ship-wrecked, whatever
part of the Ships, or Tackling there-
of, as also of the Goods and Merchan-
dizes shall be saved, or the Produce
thereof, shall be faithfully restored to the
Proprietors, Reclaimers, or their Factors,
paying only the Expences of preserving
the same, in such manner as it may be
settled on both sides concerning the rate
of Salvage: Saving at the same time
the Rights and Customs of each Nation.
And both Their most Serene Royal
Majesties will interpose Their Authority,
That such of Their Subjects may be se-
verely punished, who in the like Ac-
cident shall be found guilty of Inhumanity.

XXXIV.

It shall be free for the Subjects of
each Party to employ such Advocates,
Attornies, Notaries, Solicitors, and Fac-
tors, as they shall think fit, to which
end the said Advocates, and others a-
bove mentioned, may be appointed, by
the Ordinary Judges, if it be needful,
and the Judges be required thereunto.

XXXV.

Et quo securius, liberiusque exerceantur commercium & Navigatio, conventum est insuper, ut neque Magnæ Britannię Regina, neque Rex Christianissimus, in quoscunque ipsorum Portus, Stationes, Urbes, aut Oppida, Piratas quosvis, Prædonesque recipiant, neque à quibuscunque alterutrius ipsorum Subditis, Civibusve, eosdem in Portus recipi, protegi, aut quocunque hospitii auxilii genere sublevari permittent; quin efficient ut omnes ejusmodi Pirata, Prædonesque, maritimi, aut quicunque eos reciperint, occultaverint, vel adjuvaverint, apprehendantur, meritisque Poenis afficiantur, in aliorum terrorem & exemplum. Et omnes eorundem Naves, Bona, Mercesve, Piratice per eosdem raptæ, & in Regni alterutrius Portus advectæ, quotquot deprehendi poterint, etiam si venditione ad alios transiverint, legitimis Dominis, ipsorumve Vicariis, ad eadem repetenda Delegationis Tabulas, & Procurationis Autoritatem habentibus, restituentur, & resarciantur, adductis prius in Maritimæ Præfecturæ Curia Testimoniis, ad proprietatem comprobendam idoneis: omnesque omnino Naves Mercesque, cujuscunque sint Naturæ, quotquot super altum Mare ab eorum Manibus redimi possint, in aliquem Regni alterutrius Portum adducentur, Portusque ejusdem Officialibus custodiendæ concredentur, eum nempe in finem, ut vero Proprietario integræ tradantur, quam primum de earundem proprietate debitè & sufficienter constabit.

XXXV.

And that Commerce and Navigation may be more securely and freely followed, it is further agreed, That neither the Queen of Great Britain, nor the most Christian King, shall receive Pirates and Robbers into any of the Ports, Havens, Cities, or Towns, neither shall they permit them to be received into their Ports, to be Protected or Assisted by any manner of harbouring or support by any the Subjects or Inhabitants of either of them; But they shall rather cause all such Pirates and Sea Robbers, or whoever shall receive, conceal, or assist them, to be apprehended and punished as they deserve, for Terror and Example to others. And all the Ships, Goods, or Merchandizes being piratically taken by them, and brought into the Ports of the Kingdom of either, as much as can be found, although they have by Sale been conveyed to others, shall be restored to the lawful Owners, or their Deputies having Instruments of Delegation, and an Authority of Procuration for reclaiming the same; and indemnification shall be made, proper Evidence being first given in the Court of Admiralty, for proving the Property. And all Ships and Merchandizes, of what nature soever, which can be rescued out of their Hands on the high Seas, shall be brought into some Port of either Kingdom, and shall be delivered to the Custody of the Officers of that Port with this Intention, that they be delivered intire to the true Proprietor, as soon as due and sufficient Proof shall have been made concerning the Property thereof.

XXXVI. Seco

XXXVI.

Serenissimarum Regiarum hinc inde Majestatum Navibus tam Bellicis, quam quæ Sumptibus privatis ad Bellum instructæ sunt, licitum esse Naves Mercatorumque ab hostibus captas liberè condurre quoquoersum ipsis placuerit, nec quidquam rei Maritimæ Præfectis aut Judicibus aliis quibuscvisolvere teneantur, neque etiam antedictæ Prædæ ubi antedictarum Serenissimarum Regiarum hinc inde Majestatum Portus appulerint, & intraverint, Arresto ullo detineantur, nec Scrutatores, aliive locorum Officiales, in eas, aut de earum validitate inquirent, quin vela quovis tempore explicare, discedere, & Prædæ eo loci deducere liceat, qui in Commissionum Literis, aut Diplomate expressus sit, quas literas Præfecti hujusmodi Bellicarum Navium monstrare tenebuntur: è contrario autem in eorum Portibus Azylum aut Refugium non dabitur his qui Prædam fecerint in utriusvis Regiæ Majestatis Subditos. Quod sicubi tales, necessitate Tempestatis, aut Maris periculo coacti, intraverint, enixè curandum est (in quantum anterioribus Pactis, cum aliis Regibus & Statibus initis, id ipsum non adversatur) ut exeat, & quam primum fieri possit, inde recipiant.

XXXVII.

Serenissimæ Regiæ hinc inde Majestates nequaquam permittent ut in Oportibus, Portibus, aut Fluminibus Ditionum suarum, Naves, Mercesve Subditorum alterius capiantur à Navibus Bellicis, aut aliis quæ Diplomate alicujus Principis, Reipublicæ, aut Oppidi qualiscunque instructæ sunt. Et casu quo id acciderit, Pars utraque auctoritatem, viresque unitas interponent, quo damnum datum resarciatur.

XXXVI.

It shall be lawful, as well for the Ships of War of both Their most Serene Royal Majesties, as for Privateers, to carry whithersoever they please, the Ships and Goods taken from their Enemies, neither shall they be obliged to pay any thing to the Officers of the Admiralty, or to any other Judges, nor shall the aforementioned Prizes, when they come to, and enter the Ports of either of Their most Serene Royal Majesties, be detained by Arrest, neither shall Searchers, or other Officers of those places, make Examination concerning them, or the Validity thereof; But rather they shall have liberty to hoist Sail at any time, to depart and to carry their Prizes to that place, which is mentioned in their Commission or Patent, which the Commanders of such Ships of War shall be obliged to shew: On the contrary, no Shelter or Refuge shall be given in their Ports to such as have made a Prize upon the Subjects of either of Their Royal Majesties. And if perchance such Ships shall come in, being forced by stress of Weather, or the danger of the Sea, particular care shall be taken, (as far as it is not repugnant to former Treaties made with other Kings and States) that they go from thence, and retire elsewhere, as soon as possible.

XXXVII.

Neither of Their most Serene Royal Majesties shall permit that the Ships or Goods of the other be taken upon the Coasts, or in the Ports, or Rivers of Their Dominions, by Ships of War, or others having Commission from any Prince, Commonwealth, or Town whatsoever. And in case such a thing should happen, both Parties shall use their Authority and united Force, that the damage done be made good.

XXXVIII. Si

XXXVIII.

Si dehinc per Inadvertentiam, vel aliter, contigerit, Contraventiones, vel Inconveniencias aliquas, circa observacionem hujus Tractatus, hinc inde oboriri, tunc non statim propterea Amicitia & bona Intelligentia interrompetur, sed subsistet hoc Fœdus omni cum Effectu, procurabiturque Remedium tollendis Inconvenienciis congruum, ut & Reparatio Contraventionum: sique Subditi unius alteriusve deprehendantur in culpa, illi soli severe punientur & castigabuntur.

XXXIX.

Quod si vero constiterit Captorem ullo Torturae genere, in Navarcham, Plebem Nauticam, aliosve qui in Navali aliqua ad alterius partis Subditos, spectante reperiantur, usum fuisse, eo caso, non tantum ipsa Navis, una cum Personis, Mercimoniis, & Rebus quibuscunque, statim absque ulteriori mora relaxabitur, & in plenam libertatem restituetur, verum etiam qui tanti Criminis rei deprehendentur, ut & ejusdem Participes, gravissimis condignisque poenis plectendi erunt, id quod ut absque omni personarum respectu fiat, obstringunt se mutuo Magnæ Britannia Regina, & Rex Christianissimus.

XXXVIII.

If hereafter it shall happen, through Inadvertency, or otherwise, that any Contraventions, or Inconveniencies on either side arise concerning the Observation of this Treaty, the Friendship and good Intelligence shall not immediately thereupon be broke off: but this Treaty shall subsist in all its force, and a proper Remedy for removing the Inconveniencies shall be procured, as likewise Reparation of the Contraventions, and if the Subjects of the one or the other be found in fault, they only shall be severely punished and chastised.

XXXIX.

But if it shall appear that a Captor made use of any kind of Torture upon the Master of the Ship, the Ships Crew, or others who shall be on Board any Ship belonging to the Subjects of either Party: in such case not only the Ship it self, together with the Persons, Merchandizes, and Goods whatsoever, shall be forthwith released without any further delay, and set intirely free, but also such as shall be found Guilty of so great a Crime, as also the Accessories thereunto, shall suffer the most severe Punishment, suitable to their Crimes: This the Queen of Great Britain, and the most Christian King do mutually engage shall be done without any respect of Persons.

Formula

Formula Literarum Maritimarum petendarum, dandarumque, à Domino Domino magno Admirallo Magnæ Britannia, &c. vel à Dominis Commissariis pro Officio Admiralitatis Magnæ Britannia, &c. secundum Articuli vigesimi primi hujus Tractatus Dispositionem.

Minibus ad quos præsentēs Literæ pervenerint, Salutem. Nos Magnus Admirallus Magnæ Britannia, &c. (aut) Nos

Commissarii pro Officio Admiralitatis Magnæ Britannia, &c. Notum, statumque facimus per præsentēs A. B. de C. solita habitationis loco, Magistrum sive Præfectum Navis vocatæ D. coram

nobis comparuisse, & solenni Jurejuramentum affirmasse, (vel Literas Testimoniales sub Sigillo Magistratus, vel Officialium Meliorum & Vestigialium Burgi & Portus E. Datas Mensis

anno Domini 17 de & super Jurando coram iis alias præstito, exhibuisse) Dictam Navem & Navigium

Mensurarum, quas Tuns vocant, capacem, cujus ille ipse hoc tempore Magister sive Præfectus est, ad subditos Serenissimæ Regiæ Majestatis, Domini nostræ Clementissimæ, verè & saliter pertinere. Cum autem Acceptissimum nobis foret, prædictum Magi-

Form of the Passports to be desired of, and given by the Lord High Admiral of Great Britain, &c. or by the Lords Commissioners for Executing the Office of High Admiral of Great Britain, &c. according to the Direction of the 21th Article of this Treaty.

TO all to whom these Presents shall come, Greeting. We

High Admiral of Great Britain, &c. (or) We

Commissioners for executing the Office of High Admiral of Great Britain, &c. do make known and testify by these Presents, That A. B. of C. the usual place of his Dwelling, Master or Commander of the Ship called D.

appeared before us, and declared by Solemn Oath, (or) produced a Certificate under the Seal of the Magistrate, or of the Officers of the Customs of the Town and Port of E. Dated the

Day of the Month of in the Year of our Lord 17 of and concerning the Oath made before them) that the said Ship and Vessel D. Burthen

Tuns, whereof he himself is at this time Master or Commander, doth really and truly belong to the Subjects of Her most Serene Majesty our most Gracious Sovereign. And whereas it would be most acceptable to us that the said Master,

strum, five Praefectum, in iis quae probe
iustaeque ab eo agenda erunt, adjuvari,
rogamus vos universos & singulos, ubi-
cunque dictus Magister, seu Praefectus
Navem praedictam, Mercesque in ea
invectas & illatas appeller, velitis jubea-
ris eum benigne recipi, humaniter tra-
ctari, sub legitimorum, consuetorumq;
Vestigalium, ac aliarum rerum soluti-
one admitti, ingredi, manere, egredi
Portus, Flumina, & Dominia vestra, &
omnimodo Navigationis, Mercatus, ac
Commerciorum Jure, specieque uti,
omnibus in locis quibus hoc ei melius
rectius visum fuerit, grato animo id re-
pendere vobis paratissimi semper promp-
tissimique. In quorum majorem Fidem
& Testimonium Praesentes manu nostrâ,
& Sigillo nostro, communiri curavimus.

Dat. in die Mensis

A. D. 17

ster or Commander should be assisted
in the Affairs wherein he is justly
honestly employed. We desire you, all
and every of you, That wheresoever
the said Master or Commander shall
bring his Ship, and the Goods on board
thereof, you would cause him to be
kindly received, to be civilly treated
and in paying the lawful and accustomed
duties, and other things to be admit-
ted, to enter, to remain in, to depart
out of your Ports, Rivers, and Domini-
ons, and to enjoy all manner of Rights
and all kind of Navigation, Traffick, and
Commerce, in all places where he shall
think it proper and convenient. For
which we shall always be most willing
and ready to make returns to you in a
grateful manner. In Witness and Con-
firmation whereof We have Signed these
presents, and caused Our Seal to be put
thereunto. Given at the
Day of the Month of in the Year

17

Formula

Formula Literarum Certificatoriarum petendarum, dandarumque à Magistratu, aut Officialibus Vectigalium et Teloniorum Burgi & Portus, in Burgis et Portibus suis respectivis, Navibus et Navigiis inde vela facientibus, secundum Articuli vigesimi primi hujus Tractatus Dispositionem.

Form of the Certificates to be required of, and to be given by the Magistrate, or Officers of the Customs of the Town and Port, in their respective Towns and Ports, to the Ships and Vessels which Sail from thence, according to the Direction of the 21th Article of this present Treaty.

Nos A. B. Magistratus (aut) Officialis Vectigalium & Teloniorum Burgi & Portus C. certificamus & attestamus, quod die Mensis A. D. 17 personaliter coram nobis comparuit D. E. de F. & solenni Jurejurando declarat, quod Navis sive Navigium vocat' Mensurarum quas Tuns vocant capax, cujus H. J. de K. solita habitationis loco, est Magister, sive Praefectus, ei & aliis etiam Serenissimae Regiae Majestatis Dominae nostrae Clementissimae Subditis, iisque solis, justo titulo propria fir. Jam vero de Portu iter destinasse ad Portum M. onustam Mercibus & Mercimoniis hic infra speciatim descriptis & enumeratis. Scilicet & prout sequitur, viz.

quorum Fidem has Certificatorias literas signavimus, & Sigillo Officii nostri Sigillavimus. Dabatur die Mensis A. D. 17

WE A. B. Magistrate (or) Officers of the Customs of the Town and Port of C. do certify and attest, That on the Day of the Month of in the Year of our Lord 17 D. E. of F. personally appeared before us, and declared by a solemn Oath, That the Ship or Vessel called G. of about Tuns, whereof H. I. of K. his usual place of Habitation, is Master or Commander, does rightfully and properly belong to him and others, Subjects of Her most Serene Majesty, our most Gracious Sovereign, and to them alone: That she is now bound from the Port of L. to the Port of M. laden with the Goods and Merchandizes here under particularly described and enumerated, that is to say, as follows,

In Witness whereof we have Signed this Certificate, and Sealed it with the Seal of our Office. Given the Day of the Month of in the Year of our Lord 17

E For-

Formulaire des Passeports & Form of the Passports and Letters, which are to be given in the Admiralty of France, to the Ships and Barks, which shall go from thence, according to the 21th Article of this present Treaty.

Louis Comte de Thoulouse, Admiral de France, à tous ceux qui ces presentes lettres verront, Salut. Scavoir faisons que Nous avons donné Congé & Permission à Maitre & Conducteur du Navire nommé de la Ville de du Port de Tonnaux, ou environ, étant de present au Port & Havre de de s'en aller à chargé de après que Visitation aura été faite de son Navire, avant que de partir fera serment devant les Officiers qui exercent la Jurisdiction des Causes Maritimes, comme le dit Vaisseau appartenant à un ou plusieurs des Sujets de sa Majesté, dont il sera mis acte au bas des Presentes; Comme aussi de garder, & faire garder par ceux de son Equipage les Ordonnances & Reglemens de la Marine, & mettre au Greffe le Role signé, & verifié, contenant les Noms & Surnoms, la Naissance & Demeure des Hommes de son Equipage, & de tous ceux qui s'embarqueront; Lesquels il ne pourra embarquer, sans le seuil, & permission des Officiers de la Marine, & en chacun Port au Havre ou il entrera avec son Navire, fera apparoir aux Officiers & Juges de la Marine du present Congé; & leur fera fidele rapport de ce qui sera fait, & passé durant son Voyage; & portera les Pavilons, Armes, &

Lewis Count of Thoulouse, Admiral of France, to all who shall see these Presents, Greeting. We make known that We have given leave and permission to Master and Commander of the Ship called of the Town of Burthen Tonnage or thereabouts, lying at present in the Port and Haven of and bound for and Laden with after that his Ship has been visited, and before Sailing, he shall make Oath before the Officers, who have the Jurisdiction of Maritime Affairs, That the said Ship belongs to one or more of the Subjects of His Majesty, the Act whereof shall be put at the end of these Presents as likewise that he will keep, and cause to be kept by his Crew on Board, the Marine Ordinances and Regulations, and enter in the proper Office a List signed and witnessed, containing the names and surnames, the places of Birth and Abode of the Crew of his Ship, and of all who shall embark on Board her, whom he shall not take on Board without the knowledge and permission of the Officers of the Marine, and in every Port or Haven, where he shall enter with his Ship, he shall shew this present Leave to the Officers and Judges of the Marine, and

Enseigne

seignes du Roy, & les nostres, durant
son Voyage. En remoin de quoy nous
ons fait opposer notre Seing, & le Sée
nos Armes, à ces Presentes, & icelles
contresigner par notre Secretaire
la Marine à Jour de
ille Sept cens Signé Louis Comte
Thoulouse, et plus bas par

shall give a faithful account to them of
what passed and was done during his
Voyage. And he shall carry the Colours,
Arms and Ensigns of the King, and of us,
during his Voyage. In Witness whereof
We have Signed these Presents, and put
the Seal of Our Arms thereunto, and
caused the same to be countersigned by
our Secretary of the Marine at the
Day of 17 Signed Lewis
Count of Thoulouse, and underneath by

*Formulaire de l'Acte conte-
nant le Serment.*

Nous de l' Amiraute de
Certifions, que
aitre de Navire nommé au Passeport,
dessus à prêté le Serment mentionné
iceluy. Fait à le jour
mille Sept cens

*Form of the Act containing
the Oath.*

WE of the Admi-
ralty of do Certifie
that Master of the
Ship named in the above Pasport, has
taken the Oath mentioned therein.
Done at the
Day of 17

XL.

Ratificabitur præsens Tractatus à
Magnæ Britannia Regina, & S. Re-
Christianissimo, ejusdemque Ratifica-
onis Tabula, intra quatuor Septima-
e, aut citius si fieri possit, Trajecti ad
Rhenum, ritè invicem commutabuntur.

XLI.

In quorum Fidem nos infra scripti
Magnæ Britannia Regina, & S. Regis
Christianissimi, Legati Extraordinarii
Plenipotentarii, præsentem Tracta-
tum manibus nostris subscriptum, Sigil-
lo nostris munivimus. Trajecti ad Rhe-
nam die ^{Trigesimo primo Martii} ^{modicum Aprilis} Anni à Christo
Millesimi Septingentesimi Decimi
Martii.

(S.) Job. Bristol C.P.S. (L.S.) Huxelles.
(S.) Strafford. (L.S.) Mesnager.

XL.

The present Treaty shall be Ratified
by the Queen of Great Britain, and by
the most Christian King, and the Rati-
fications thereof shall be duly Exchan-
ged at Utrecht within four Weeks, or
sooner if possible.

XLI.

In Witness whereof we the under-
written Ambassadors Extraordinary and
Plenipotentiaries of the Queen of Great
Britain, and of the most Christian
King, have set Our Hands and Seals to
this present Treaty, at Utrecht the
31 Day of ^{March} ^{April} in the Year of our Lord
1713.

(L.S.) Job. Bristol C.P.S. (L.S.) Huxelles.
(L.S.) Strafford. (L.S.) Mesnager.

ANNA R.



NNA, Dei gratiâ, *Magna Britannia, Francia, & Hibernia* Regina, Fidei Defensor, &c. Omnibus & singulis, ad quos præsentis Literæ pervenerint, Salutem.

Quandoquidem Conventus pro Pace generali ineundâ Anni proximè præteriti initio *Ultrajecti* ad Rhenum habitus, variis, præter spem & vota nostra, injectis Impedimentis ultra mensem decimum quartum productus fuerit; Jam vero, favente Dei Optimi Maximi bonitate, (qui Concordiæ amorem Partium Belligerantium mentibus fortius inspirare dignatus est) ad finem tam diù desideratum, & *Europa* Tranquillitati Salutique adeò necessarium, foeliciter spectare videatur: Nos tandem accommodatis cum bono Fratre nostro *Rege Christianissimo*, nostris utrinque tam Pacis, quàm Commerciorum rationibus, quo Ministri nostri, qui Plenipotentiariorum Titulo hucusque freti, Provinciæ huic exornandæ summâ cum nostrâ Approbatione incubuerunt, majori cum splendore Operi huic maximè salutarî Coronidem imponere possint, Eos amplissimo Legatorum nostrorum Extraordinariorum Characterè insignire æquum esse judicavimus. SCIATIS igitur quod nos Fide, Industriâ, & in Rebus magni momenti tractandis Usu ac Perspicaciâ Reverendissimi admodum in Christo Patris, perquam fidelis & dilecti Consiliarii nostri, *Johannis Episcopi Bristolienfis, Privati nostri Sigilli Custodis, Decani Windesoriensis, & Nobilissimi Ordinis nostri Periscelidis Registrarii, & perquam fidelis & prædilecti Consanguinei & Con-*

ANNE R.



NNE, by the Grace of God, Queen of *Great Britain, France, and Ireland*, Defender of the Faith, &c. To all and singular to whom these pre-

sents shall come, Greeting. Whereas the Congress that was held at *Utrecht* at the beginning of the last Year, for making a General Peace, has been drawn out into length above these Fourteen Months by various Obstacles, which have been thrown in the way, contrary to Our Hopes and Wishes; But now, by the favour and goodness of Almighty God (who has been pleased to inspire the Love of Concord more strongly into the Breasts of the Parties engaged in War) it seems happily to tend towards the End so long desired; and necessary for the Tranquillity and Welfare of *Europe*; We having at last adjusted with Our good Brother the most Christian King Our Matters on both sides, relating both to Peace and to Commerce, to the end that Our Ministers who have hitherto under the Title of Plenipotentiaries applied themselves, with Our highest Approbation, to the discharge of this Employment, may, with greater Splendor, put an End to this most wholesom Work, have thought fit to give them the most honourable Character of Our Ambassadors Extraordinary. Now Know ye, That We reposing a special Confidence in the Loyalty, Industry, Experience, and Sagacity in managing Matters of great Importance of the Right Reverend Father in God Our Right Trusty and Welbeloved

flour

arii nostri *Thoma Comitis de Strafford*, *Vice-comitis Wentworth de Wentworth-Woodhouse & Stainborough*, *Baronis de Raby*, *Exercituum nostrorum cum-Tenentis Generalis*, *Primarii Admiralitatis nostrae Commissarii*, *Nobilissimi Ordinis nostri Periscelidis Equites*, & *Legati nostri Extraordinarii ac Plenipotentarii ad Celsos & Praepotentes Dominos Ordines Generales Uniti Belgii*, plurimum Confisz, Eisdem nominavimus, fecimus, & constituimus, nemadmodum per Praesentes nominavimus, facimus, & constituimus, Nostros, certos, & indubitatos Legatos Extraordinarios, Commissarios, Procuratores, & Plenipotentarios, Dantes & Concedentes iisdem, conjunctim vel divisim, omnem & omnimodam Potestatem, Facultatem, Authoritatemq; nec non Mandatum Generale, pariter ac speciale (ita tamen ut Generale Speciali non deroget, neque contra) cum Legatis Extraordinariis ac Plenipotentariis, quos praedictus Rex Christianissimus, sufficienti Autoritate instructos, ex sua parte deputaverit, in Civitate *Utrajedina ad Rhenum*, aut in alio quocunque loco, Congrediendi, colloquendique, ac de Navigationis & commerciorum Conditionibus inter Subditos tam nostros quam dicti Regis Christianissimi, quam amicissimè accomodandis, Tractandis, Conveniendi, & Concludendi; eaque omnia quae ita Conventa Conclufa fuerint, pro nobis & nostro nomine Signandi, superque conclusis Instrumenta, quotquot & qualia necessaria fuerint, Conficiendi, mutuoque Tradendi, Recipiendique, ac generaliter ea omnia praestandi, perficiendique, quae cuicunque modo necessaria ad Navigationis & commerciorum Conditiones, ut supra dictum est, ineundas, stabiliendasque, vel quomodolibet, opportuna esse

Councillor *John Bishop of Bristol*, Keeper of Our Privy-Seal, Dean of *Windsor*, and Register of Our most Noble Order of the Garter; And of Our Right Trusty and Right Welbeloved Cousin and Councillor *Thomas Earl of Strafford*, Viscount *Wentworth* of *Wentworth-Woodhouse* and *Stainborough*, Baron of *Raby*, Lieutenant-General of Our Forces, First Commissioner of Our Admiralty, Knight of Our most Noble Order of the Garter, and Our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United *Netherlands*, have named, made, and constituted them, as by these presents, We do name, make, and constitute them, Our true, certain, and undoubted Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentaries, giving and granting to them, jointly and separately, all and all manner of Power, Faculty, and Authority, as also both general and special Order (but so as the general do not derogate from the special, nor on the contrary) to meet and confer in the City of *Utrecht*, or in any other place, with the Ambassadors Extraordinary and Plenipotentaries, which the said most Christian King shall have deputed on his part, being furnished with sufficient Authority, and to treat, agree, and conclude concerning the adjusting, in the most friendly manner, the Conditions of Navigation and Commerce between Our Subjects and those of the said most Christian King; and to sign for Us, and in Our Name, all such things as shall be so agreed and concluded; and to make out such and so many Instruments of what is concluded, as shall be necessary, and to exchange and mutually receive the same; and generally to do

Judica-

Judicaverint, tam amplis modo & formâ,
ac vi effectusque pari, ac Nos ipsæ, sol-
teressimus, facere ac præstare possemus,
Spondentes, ac in Verbo Regio promit-
tentes, Nos omnia & singula, quacun-
que à dictis nostris Legatis Extraor-
dinariis, Commissariis, Procuratoribus,
& Plenipotentariis, conjunctim vel divi-
sim, vi præsentium Transigi, Concludi, &
Signari contigerit, grata, rata, & accep-
ta, lis prorsus modo & formâ quibus
conventa fuerint, habituras. In quo-
rum omnium majorem fidem & robur,
Præsentibus manu nostrâ Regiâ signatis,
Magnum nostrum Magnæ Britannia Si-
gillum apponi iussimus. Dabantur in
Palatio nostro Divi Jacobi, vigesimo
quarto die Mensis Martii, Anno Domini
Millesimo Septingentesimo ^{duodecimo} _{decimo tertio}, Reg-
nique nostri Duodecimo.

and perform all such things as they
shall judge necessary, or any way con-
ducible towards making and settling
the Conditions of Navigation and Com-
merce, as is abovesaid, in as ample
manner and form, and with the like
force and effect, as We Our selves might
do and perform, if We were present, En-
gaging and Promising on Our Royal
Word, That We will accept, approve
and ratifie, in the same manner and
form as they have been agreed, all and
every thing that by virtue of these pre-
sents shall happen to be transacted, con-
cluded and signed by Our said Amba-
sadors Extraordinary, Commissaries, Pro-
curators, and Plenipotentaries, joynt-
ly, or separately. In Witness, and
Confirmation whereof, We have com-
manded Our Great Seal of Great Bri-
tain to be affixed to these presents, sign-
ed with Our Royal Hand. Given at Our
Palace of S. James's the 24th Day of
the Month of March, in the Year of
our Lord 1711, and of Our Reign the
Twelfth.



LOUIS, par la Grace de Dieu, Roy de France & de Navarre, à tous ceux qui ces presentes Lettres verront, Salut. Comme Nous n'avons

en oublié pour contribuer de tout nostre Pouvoir au Retablissement d'une Paix sincere & solide, que nostre tres chere & tres amee Sœur la Reine de la grande Bretagne a fait paroistre le mesme desir, & qu'il y a lieu d'esperer de les Conferences, qui se tiennent à Utrecht pour parvenir à un bien aussi desirable, auront bientôt un heureux succès; Voulant encore apporter tous nos Soins pour en avancer l'effet, & nous confiant entierement en la Capacité Experience, Zele, & Fidelité pour nostre Service de nostre très cher & bien aimé Cousin Le Marquis d'Huxelles, Marshal de France, Chevalier de Nos Ordres, & nostre Lieutenant General au Gouvernement de Bourgogne, & de nostre cher & bien aimé le Sieur Mesnager, Chevalier de nostre Ordre de St. Michel. Pour ces Causes & autres bonnes Considerations à ce Nous mouvans, Nous avons Commis, Ordonné, & Deputé & par ces presentes Signées de nostre Main, Commettons, Ordonnons & Deputons les dits Sieurs Maréchal d'Huxelles, & Mesnager, & leur avons donné & donnons Pleinpouvoir, Commission, & Mandement Special, en qualité de Nos Ambassadeurs. Extraordinaires & nos Plenipotentiaires, de Confer, Negocier, & Traiter, avec les Ambassadeurs Extraordinaires Plenipotentiaires de nostre dite Sœur, revestus de leurs pouvoirs en bonne forme; Arrester, conclure, & Signer tels Traitez de Commerce, Articles & Conventions qu'ils adviseront bon estre. Voulant qu'en



EWIS, by the Grace of God, King of France and Navarre, To all who shall see these Presents, Greeting. Whereas We have omitted nothing for contributing with all Our Might towards the Re-establishment of a Sincere and Solid Peace; And as Our most Dear and most Beloved Sister the Queen of Great Britain has shewn the same Desire, and as there is room to hope, That the Conferences which are held at Utrecht for attaining to so desirable a Good, will in a little time have a happy Issue; And being willing likewise to apply all our Care for promoting the effect thereof, and reposing entire Confidence in the Capacity, Experience, Zeal, and Fidelity for Our Service, of Our most Dear and Well-beloved Cousin, the Marquis d' Huxelles Marshal of France, Knight of Our Orders, and Our Lieutenant-General of the Government of Burgundy, and of Our Dear and Well-beloved the Sieur Mesnager, Knight of Our Order of St. Michael. For these Causes, and other good Considerations Us hereunto moving, We have Commissioned, Ordained and Deputed, as by these Presents Signed with Our Hand, We do Commission, Ordain, and Depute the said Sieurs, Marshal d' Huxelles, and Mesnager, and have given, and do give to them full Power, Commission, and special Command, in quality of Our Ambassadors Extraordinary, and Our Plenipotentiaries, to Confer, Negotiate, and Treat with the Ambassadors Extraordinary, Plenipotentiaries of Our said Sister, provided with Her Powers in due form, to agree, conclude, and sign such Treaties of Commerce, Articles and Conventions, as they shall see
cas

cas d' Absence de l'un d'eux par Maladie, ou par quelque autre Cause legitime, l'autre ait le mesme pouvoir de conferer, negotier, traiter, arrester, conclure, & signer tels Traitez de Commerce, Articles & Conventions qui conviendront au Bien que Nous Nous proposons, & à l'Utilité reciproque de nos Sujets, en sorte que Nos dits Ambassadeurs Extraordinaires & Plenipotentiaires agissent en tout ce qui regardera la Negotiation avec nostre dite Sœur, avec la mesme autorité que Nous ferions & pourrions faire, si Nous étions presens en personne, encore qu'il y eût quelque chose qui requit un Mandement plus special non contenu en ces presentes. Promettant en Foy & Parole de Roy d'avoir agreable & tenir ferme & stable à toujours, accomplir, & executer ponctuellement tout ce que les dits Sieurs Marechal d'*Huxelles* & *Mesnager*, ou l'un d'entre eux dans les dits cas d' Absence ou de Maladie, auront stipulé, promis, & signé en vertu du present Pouvoir, sans jamais y contrevenir, ni permettre qu'il y soit contrevenu, pour quelque cause, ou sous quelque Pretexte que ce puisse être; Comme aussi d'en faire expedier nos Lettres de Ratification en bonne forme, & de les faire delivrer pour estre échangées dans le tems dont il sera convenu par les Traitez à faire. Car tel est nostre plaisir. En temoin de quoy Nous avons fait mettre nostre Séele à ces Presentes. Donné à *Versailles* le quatrieme jour de Mars, l'An de grace mil Sept cent treize, & de nostre Regne le soixante dixieme, Signé L O U I S, & sur le Reply, Par le Roy,

Colbert.

good. We will that in case of absence of one of them by Sickness, or through any other lawful Cause, the other have the same Power to confer, negotiate, treat, agree, conclude and sign such Treaties of Commerce, Articles, and Conventions, as shall be agreeable to the good which We propose to Ourselves, and to the reciprocal advantage of Our Subjects, so that Our said Ambassadors Extraordinary and Plenipotentiaries may act in all which shall belong to the Negotiation with Our said Sister with the same Authority as We should and might do, if We were present in Person, altho' there should be something which might require a more special Order than is contained in these Presents. We promise on the Faith and Word of a King to approve, and to keep firm and lasting for ever, to fulfil and execute punctually all that the said Sieurs Marshal d'*Huxelles* and *Mesnager*, or one of them, in the said Cases of absence, or of Sickness, shall Stipulate, Promise, and Sign, by virtue of this present Power, without ever acting contrary thereto, or permitting that anything be done to the contrary, on any Cause, or under any pretence whatsoever; As likewise to cause Our Letters Ratifying the same to be dispatched, in good form, and to cause them to be delivered in order to be exchanged within the time, which shall be Agreed on by the Treaties to be made. For this is Our Pleasure. Witness whereof We have caused Our Seal to be affixed to these Presents. Given at *Versailles* the Fourth Day of *March*, in the Year of our Lord 1713 and of Our Reign the Seventieth. Signed LEWIS, and on the fold, By the King

Colbert.

Nat

Notum sit omnibus, Quod cum in Articulo Nono Tractatus Commercialium inter Serenissimam Reginam Magna Britannia, & Serenissimum Regem Christianissimum, per Majestatum suarum Legatos Extraordinarios & Plenipotentiarios hodie conclusi, mentio facta sit quorundam rerum Caputum, quae ex parte Magnae Britanniae proposita, hactenus autem mutuo accommodata non fuerint, adeoque ad Commissarios eadem discutienda & determinanda remittere visum sit: Nos igitur infra scripti Legati, quo certo constet quamquam ea sint rerum Capita, quae ad Commissarios remitti debent, specialem eorum omnium hoc in scripto designationem exhibere decrevimus, declarantes eadem illa, nec alia esse, quae sequuntur.

It is known unto all Men, That whereas in the 9th Article of the Treaty of Commerce, concluded this Day between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by Their Majesties Ambassadors Extraordinary, and Plenipotentiaries, mention is made of some Heads of Matters, which being proposed on the part of Great Britain, have not as yet been mutually adjusted, and therefore it was thought fit to refer them to be discussed and determined by Commissioners: We therefore the underwritten Ambassadors, that it may certainly appear what are those Heads of Matters which are to be referred to Commissioners, have resolved to give a particular Description of them in this Writing. Declaring that they are the same, and no other than what follow.

Nulla in posterum Manufactura alterutrius Regni & Ditionum sine inde subjectarum, Inspectioni, & confiscationi subjiciuntur, sub praetextu quovis Fraudis aut Vitii in iisdem conficiendis, vel elaborandis, vel propter alium quemcunque earundem Defectum, absolute autem ceditur liberis Emptori & Venditori de iisdem stipulari & paeisci, prout illis libitum fuerit, Lege quavis, Statuto, Edicto, Arresto, Privilegio, Concessione, vel Consuetudine non obstantibus.

NO Manufactures of either Kingdom, and the Dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated, under any pretence of fraud or defect in making or working them, or because of any other Imperfection therein; But absolute freedom shall be allowed to the Buyer and Seller to bargain and agree for the same, as they shall see good; Any Law, Statute, Edict, Arrest, Privilege, Grant, or Custom to the contrary notwithstanding.

II.

Et quandoquidem Mos quidam, non lege aliqua ratus, in quibusdam Magnae Britanniae & Galliae Urbibus obtinuit, ut unusquisque pro Introitu & Exitu generis quoddam Tributi solvat, An-

II.

And forasmuch as a certain Usage, not confirmed by any Law, has obtained in several Towns of Great Britain and of France; That is to say, That every one for coming in, and going out, shall pay
F
glice

glice dictum *Head-Money*, & Gallice *Du Chef*, conclusum est, quod neque illud, neque ratione illius, Vectigal aliud amplius exigetur.

III.

Neque Mercatoribus Britannicis prohibitum in posterum sit dictam Herbam Nicotianam cuicunque Emptori pro libitu vendere, in quem quidem finem Vectigalium super dictâ Herba Elocatio, Redemptoribus (Vulgo *Fermiers*) hactenus facta cessabit, neque in posterum introducenda erit.

IV.

Excepto tantum casu sequenti, nimirum, ubi Naves Britannicæ Merces acceptas in aliquo Galliarum Portu, in alium Galliarum Portum deponendas transvehent, quo casu, neque quovis alio, Subditi Britannici Vectigalia hoc in Articulo abrogata, & abolita, secundum Mercium receptarum tantummodo proportionem, non autem Navis capacitatem solvere tenebuntur.

V.

Quandoquidem plurima Mercimorum genera, pro quibus Vectigalia ad pondus solvantur, Doliis, Cistis, aliisque Involucris inclusa, in Galliam per Subditos Britannicos advehenda, & avehenda erunt; Convenit igitur est, quod eo in casu Vectigalia antedicta ad rationem ponderis ipsarum tantummodo Mercium exigentur, Doliis autem, Cistarum, aut Involucrorum quorumcunque pondera eo modo, eaque proportionem deducantur, prout in Angliâ hactenus in usu fuit, & nunc obtinet.

a kind of Tax, called in *English*, *Head-Money*, and in *French*, *Du Chef*, it is concluded, That neither the same, nor any other Duty on that Account, shall any more be exacted.

III.

And the *British* Merchants shall not hereafter be forbidden to Sell the said Tobacco to any Buyer whom they please, for which purpose the letting out of the Duties on the said Tobacco to the Farmers, which has been hitherto Practised, shall cease, neither shall such Farming be used again hereafter.

IV.

The following Case only being excepted, that is to say, where *British* Ships shall take up Merchandizes in one Port and carry them to another Port of *France*, in which case, and in no other, the *British* Subjects shall be obliged to Pay the Duties abrogated and abolished by this Article, only in Proportion to the Goods which they take in, and not according to the bulk of the Ship.

V.

Whereas several kinds of Goods, contained in Casks, Chests, or other Cases, for which the Duties are paid by weight, will be exported from, and imported into *France* by *British* Subjects, It is therefore agreed, that in such case the aforesaid Duties shall be payable only according to the Weight of the Goods themselves, but the weight of the Casks, Chests, and other Cases whatever, shall be deducted in such manner and in such proportion, as has been hitherto in use in *England*, and is still practised.

VI.

Præterea convenit, quod si quis lapsus, aut Error alterutrinque admissus fuerit à quovis Navarchâ, Interprete quo, five Negotiorum Gestore, vel aliis offi inservientibus, in peragendâ Notificatione, seu Declaratione Mercium, quæ Navi suâ vehuntur, ob talem defectum, modo de Fraude manifestè non constiterit, neque Navis, neque ejusdem Onus Confiscationi subjacere possint; vin Bona, quæ ira Navarchæ Insuper, vel Declaratione omissa fuerint, proprietariis liberum erit recipere, solummodo, secundum Censum in Tabulis designatos, Vectigalibus usitatis; neque Mercatores, neque Navarcha eâ causa, vel dictis Bonis, vel aliâ quâvis poenâ mulcentur, dummodo dicta bona ita prætermissa, ante factum super eadem Declarationem, & soluta Telonia, Terram non fuerint exposita.

VII.

Cumque Navis, & Navarcha, & Merum Qualitas, è Literis ejusmodi Maritimiis & Certificatoriis sufficienter appareat, Navium Bellicarum Præfectis fas non erit ullas alias Verificationes, quovunque sub Titulo, exigere; sin autem Navis aliqua Mercatoria caruerit ejusmodi Literis, five Maritimis, five Certificatoriis, poterit tunc quidem Examinari à Judicem Competentem, ita tamen si ex aliis Indiciis & Documentis deprehendatur revera pertinere ad Subditos alterutrius Fœderatorum, nec ullas Consequere Merces vetitas, ad hostem alterius destinatas, in Confiscationem capere non debeat, sed etiam unâ cum Onere relaxetur, ut Iter suum persequatur, cum sæpe accidere possit ejusmodi

VI.

It is further agreed, That if any Mistake or Error shall on either side be committed by any Master of a Ship, his Interpreter, or Factor, or by others employed by him, in making the Entry or Declaration of the Goods on Board his Ship, for such defect, if so be some Fraud does not evidently appear, neither the Ship nor the Lading thereof shall be subject to be confiscated, but it shall be free for the Proprietors to take back again such Goods as were omitted in the Entry or Declaration of the Master of the Ship, paying only the accustomed Duties according to the Rates settled in the Books; neither shall the Merchants, or the Master of the Ship, lose the said Goods, or suffer any other punishment, if so be that the said Goods, so omitted, were not brought on Shore, before the Declaration made, and the Customs paid for the same.

VII.

And whereas the Quality of the Ship, Master and Goods, will sufficiently appear from such Passports and Certificates, It shall not be lawful for the Commanders of Men of War to exact any other Verification under any title whatsoever. But if any Merchant Ship shall want such Passports or Certificates, then it may be examined by a proper Judge, but in such manner as if it shall be found from other Proofs and Documents that it does truly belong to the Subjects of either of the Confederates, and does not contain any Prohibited Goods, designed to be carried to the Enemy of the other, it shall not be liable to Confiscation, but shall be released, together with its Cargo, in order to proceed on

Literas ad Navem è Portu aliquo sol-
ventem pervenire non potuisse, vel casu
aliquo perisse, aut Navi ademptas fuisse;
& si præter has Literas juxta Formulam
hujus Conventionis exaratas, alia etiam
Literæ, five Maritimæ, five Certificato-
riæ aliâ formâ, fortè ex præscriptis
Paſtorum cum aliis, in Navi inveni-
antur, nullus exinde prætextus capietur
detinendi, seu ullo modo inquietandi,
vel Navem, vel Homines, vel Merces.
Si contigerit Navarcham in Literis
Maritimis nominatum, vel Morte,
vel quocunque casu amotum, aliamque
fuisse esse, Constabit nihilominus
Literis Maritimis suus Vigor, & Navi
& Mercibus eidem impositis sua Secu-
ritas.

VIII.

Cantum utrinque præterea sit, & pro
Regulâ habeatur, quod Navis & Res,
licet per horas viginti quatuor in pote-
state hostium permanerint, ne ideo cap-
ta censeantur, & illico in Prædam veni-
ant, sed si alias restitui debeant, repetan-
tur, & Proprietariis denuò reddantur.

IX.

Serenissimis hinc inde Majestatibus
Regiis, Liberum erit Subditorum suorum
Commodo, in Regnis, & Ditionibus alter-
utrius Mercaturam facientibus, Con-
sules Nationales ex Subjectis suis in-
stituerè, qui gaudeant eo Jure & Liber-
tate, quæ ipsis ratione Exercitii Functi-
onis suæ competit; de loco autem con-

its Voyage, since it may often happen
that such Papers could not come to the
Ship when she was setting Sail from any
Port, or that they have been lost by
some chance or other, or that they have
been taken away from the Ship. And
if besides the Passports and Certificates
made according to the form of their
Treaty, other Passports and Certificates
happen to be found in the Ship, in
another form, and perhaps according to
the Prescription of Treaties made with
others, no pretence shall be taken from
thence, of detaining, or in any wise
molesting, either the Ship, or Men, or
Goods. If the Master of the Ship
named in the Passports be removed by
Death, or any other cause, and another
be put in his place, the Passports shall
nevertheless retain their force, and the
Ships, and Goods Laden thereon, shall
be secure.

VIII.

It is further provided on both sides,
and shall be taken for a general Rule,
That a Ship and Goods, altho' they have
remained in the Enemies Power for
Four and twenty Hours, shall not there-
fore be esteemed as Capture, and be
immediately made Prize, but if on other
Accounts they ought to be restored, they
may be reclaimed, and shall be given
again to the Proprietors.

IX.

It shall be free for both their Royal
Majesties, for the advantage of Their
Subjects, Trading to the Kingdoms and
Dominions of the other, to constitute
National Consuls of Their own Subjects
who shall enjoy that Right and Liberty
which belongs to them by reason of the
Exercise of their Function; But as re-
stituen

trudendorum ejusmodi Consulum, Pars
traque inter se postmodum conveniet.

the places where such Consuls are to be
appointed, both sides shall afterwards
agree between themselves.

In quorum Fidem Nos S. Regiæ Maje-
statis Magnæ Britannia, & S. Regiæ
Majestatis Christianissimæ Legati Extra-
ordinarii & Plenipotentarii præsentibus
tabulas manibus nostris Subscriptas,
sigillis nostris Munivimus. Trajecti
ad Rhenum die ^{tricesimo primo}
_{undecimo} Mensis
Anni Millefimi Septingentesimi
tercii

In Witness whereof we the Ambassa-
dors Extraordinary and Plenipotentaries
of Her Sacred Royal Majesty of *Great*
Britain, and of His Sacred Royal most
Christian Majesty have Subscribed this
present Instrument with our Hands, and
set Our Seals thereunto. At *Utrecht* the
11th Day of the Month of ^{March}
_{April} in the
Year 1713.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles*.
(L.S.) *Strafford*. (L.S.) *Mesnager*.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles*.
(L.S.) *Strafford*. (L.S.) *Mesnager*.

Notum

NOtum sit omnibus, Quod cum in Articulo Nono Tractatus Navigationis, & Commerciorum, inter Serenissimam Regiam Magna Britannia, et Serenissimum Regem Christianissimum, per Majestatum suarum Legatos Extraordinarios, & Plenipotentiarios die trigesimo primo Martij undecimo Aprilis conclusi, quadam Mercimonia, viz. Lanificia, Saccharum, Pisces saluti, & qua ex Cetis proveniunt, verbis generalibus ex Tariffa die 18 Mensis Septembris Anni 1664. facta Regulâ excipiuntur, Commissariorum postea Discussioni remittenda; Quod igitur omnis Error & Dubitatio evitentur, qua ex Terminis adeo generalibus forsitan oriri possint, certiusque constet de quibus speciatim Mercimoniis Deliberatio inter prædictos Commissarios habenda est, Nos Infra scripti Legati Extraordinarii & Plenipotentarii hisce declaravimus, & declaramus Mercimoniorum memoratorum Exceptionem intelligendam esse, prout sequitur.

I.

LA Baleine coupée & aprestée, les Fanons & les Huiles de Baleine, payeront à toutes les Entrées du Royaume les droits portés par le Tarif du 7. Decemb. 1699.

II.

Les Draps, Ratines, & Serges, seront Sujets aux mêmes droits du Tarif du 7. Decemb. 1699 & pour en faciliter le Commerce, il sera permis de les faire entrer par St. Valery sur Somme,

BE it known unto all Men, That whereas in the 9th Article of the Treaty of Navigation and Commerce, Concluded the 11 Day of ^{March} ~~April~~ 1713. between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by the Ambassadors Extraordinary and Plenipotentiaries of Their Majesties certain Merchandizes, namely, Woollen Manufactures, Sugar, Salt Fish, and what is produced from Whales, are excepted in general Words from the Rule of the Tariff made the 18th Day of the Month of September, in the Year 1664. in order to be afterwards referred to the discussion of Commissaries, To prevent therefore all mistakes and ambiguity, which might perhaps arise from such general Terms, and to make it more evidently appear what particular sorts of Goods are to come under the Consideration of the aforesaid Commissaries, We the under written Ambassadors Extraordinary and Plenipotentiaries have declared by these presents, and do declare, That the Exception of the above-mentioned Merchandizes is to be understood in the manner following.

I.

WHalebone cut and prepared, Fins and Oyls of Whales, shall pay at all places of Importation in the Kingdom, the Duties appointed by the Tariff of the 7th of December, 1699.

II.

Clothes, Ratines, and Serges shall be likewise subject to the same Duties of the Tariff of the 7th of December 1699. and in order to facilitate the Trade thereof, it shall be allowed to import them by par

Rouen & par Bourdeaux, où ces
offes seront sujettes à la visite de la
me Maniere que celles qui se fabri-
ent dans le Royaume.

III.

On ne pourra pas apporter dans la
yaume que le Poisson salé en Baril, & il
a leve a routes les entrées du Roy-
me, Pais & Terres de l' Obelssance du
y, mesme des Ports Francs les droits
abord & de Consommation, or-
nés avant le Tarif de 1664. & en
re quarante Livres par Leth composé
12 Barils pesant 300 l. chacun pour
droit d' Entrée, laquelle Entrée ne
a permise que par St. Valery sur
me, Rouen, Nantes, Libourne, &
urdeaux, & demeurera interdite par
autres Havres où Ports, tant de la
Oceane, que de la Mediterrannée.

IV.

Le Sucre raffiné en pain, ou en pou-
e, Candis blanc & brun, payera les
bits portés par le Tarif du 7 Dec. 1699.

In quorum Fidem nos infra Scripti
Magnæ Britannæ Regina, & S. Regis
Christianissimi Legati Extraordinarii &
enipotentiarum Præsentes Manibus No-
is Subscriptas, Sigillis Nostri mu-
imus. Trajecti ad Rhenum, die
limo octavo Aprilis Anno Millefimi sep-
centefimi decimi tertii.

(S.) Joh. Bristol C.P.S. (L.S.) Huxelles.
(S.) Strafford. (L.S.) Mesnager.

St. Valery upon the Somme, by Rouen, and
by Bourdeaux, where these Goods shall
be subject to Visitation in the same man-
ner as those which are made in the
Kingdom.

III.

Salt Fish in Barrels only is to be im-
ported into the Kingdom, and at all places
of Entrance in the Kingdom, Countries,
and Territories under the Dominion of the
King, even at all free Ports the Duties of
Landing and of Consumption shall be
paid which were appointed before the
Tariff of 1664, and besides 40 Livres
per Last consisting of 12 Barrels, weigh-
ing each 300 l. for the Duty of Entry,
which Entry shall not be permitted but
by St. Valery upon the Somme, Rouen,
Nants, Libourn, and Bourdeaux, and
shall remain prohibited at all other
Harbours or Ports as well in the Ocean
as in the Mediterranean.

IV.

Refin'd Sugar in Loaf or in Powder,
white and brown Sugar Candy, shall
pay the Duties appointed by the Tariff
of 1699.

In Confirmation of which, We the
Underwritten Ambassadors Extraordina-
ry, and Plenipotentiaries of Her Majesty
the Queen of Great Britain, and the most
Christian King, have Sign'd and Seal'd
these Presents at Utrecht the 4 Day of
April in the Year 1713.

(S.) Joh. Bristol C.P.S. (L.S.) Huxelles.
(S.) Strafford. (L.S.) Mesnager.

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